

8 OCTOBER 1946

I N D E X
Of
WITNESSES
(none)

I N D E X
Of
EXHIBITS

Pros. <u>No.</u>	Def. <u>No.</u>	Description	For <u>Ident.</u>	In <u>Evidence</u>
666		Outline of Map of the Soviet Far East and the Northern Part of Man- churia		7303
667		Copy of the files of the Japanese Newspaper "Kokumin Shimbun" dated 14 Aug 1941	7307	
667-A		Excerpts from the above mentioned newspaper		7309
668		Excerpts from the Affidavit of Semyonov, Grigori Mikhailovich of 11 Apr 1946		7319
669		Book "Conference on the Limitations of Armament, Washington, 12 Nov 1921"	7326	
669-A		Excerpt from the above		7326

I N D E X
of
EXHIBITS
(cont'd)

<u>Pros.</u>	<u>Def.</u>	<u>Description</u>	<u>For</u>	<u>In</u>
<u>No.</u>	<u>No.</u>		<u>Ident.</u>	<u>Evidence</u>
670		Affidavit of TAKEBE, Rokuzo dated 26 Mar 1946		7330
671		Files of the Newspaper "Japan Advertiser"	7335	-
671-A		Excerpts therefrom		7335
672		Telegram of the Accused TOJO, Hideki, dated 9 June 1937 to the Vice- War Minister and Vice- Chief of General Staff		7336

1 Tuesday, 8 October, 1946
2 - - -
3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan
9
10 The Tribunal met, pursuant to adjournment,
11 at 0930.
12 - - -
13 Appearances:
14 For the Tribunal, same as before.
15 For the Prosecution Section, same as before.
16 For the Defense Section, same as before.
17 - - -
18
19 (English to Japanese, Japanese to
20 English, Russian to English and Japanese to
21 Russian interpretation was made by the
22 Language Section, IMTAFE.)
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MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now in session.

THE PRESIDENT: Minister Golunsky.

(Whereupon, Major Moore, Language
Arbiter, approached the lectern.)

THE PRESIDENT: Major Moore.

MAJOR MOORE: If the Tribunal please,
referring to document No. 1632 dd, exhibit No. 643,
record page 7049, line 24 to page 7050, line 4, the
suggested correction found on page 7050, lines 17 to
21, is a better rendering of the original Japanese text.
We recommend that it be adopted.

THE PRESIDENT: Adopted.

Minister Golunsky.

MINISTER GOLUNSKY:

MR. PRESIDENT, MEMBERS OF THE MILITARY
TRIBUNAL FOR THE FAR EAST:

My task consists in substantiating that
part of the Indictment which deals with the Japanese
aggression against the Soviet Union, i.e., Counts
1, 4, 5, 17, 25, 26, 35, 36, 44, 51, 52, of the
Indictment and Chapter 8 of Appendix "A". But
the nature of this aggression as well as the nature
of the whole World War, a part of which it was, is
such that it is quite impossible to consider it

1 separately from other phases of the war with which
2 it is closely bound up.

3 Thus, for instance, it is quite impossible
4 to understand what importance for the whole world had
5 the stay of a million-strong Japanese Army in Manchuria
6 and Korea in 1941-42, if we do not take into consid-
7 eration that that was a culminating point of Hitler-
8 ite aggression, though in 1942 a number of circum-
9 stances had already caused the weakening of the
10 German rear and consequently of Germany as a whole,
11 that at that time the Hitlerite troops were on the
12 approaches to Moscow, Leningrad and Stalingrad,
13 that the German-Italian troops were a few days'
14 marching distance from the Suez Canal while the
15 Japanese troops seized one by one various terri-
16 tories in the Pacific Ocean; it is quite impossible
17 to understand, for example, how Japan dared to attack
18 the U.S.A. and Great Britain if we do not bear in
19 mind that the Japanese Imperialism counted on the
20 German victory in Europe, which means a corres-
21 ponding prognostication of Japanese politicians as
22 to the outcome of the war between Germany and the
23 U.S.S.R.

24 Therefore, I am compelled to touch upon
25 a number of such problems which are considered in

1 detail in other phases of the present trial, i.e.,
2 the seizure of Manchuria, the agreement between
3 Japan on the one hand and Germany and Italy on the
4 other, a number of episodes from the Japanese
5 aggression in China. But I shall deal with these
6 episodes insofar as they are inseparably connected
7 with the Japanese aggression against the Soviet
8 Union and I shall do my best not to be repetitious.

9 We charge the people who are in the dock
10 in this court room with having committed a number
11 of crimes in the period between 1928 and 1945.
12 But we cannot understand the events of this period,
13 in particular Japanese aggression against the
14 Soviet Union in the period covered by the Indict-
15 ment, if we do not take into consideration the
16 historic background in which this aggression was
17 developing.

18 Therefore, I feel bound to touch upon a
19 number of generally known historic events preceding
20 the period covered by the Indictment. This is
21 particularly necessary because it is impossible
22 to correctly understand and qualify the crimes with
23 which the accused have been charged if we do not
24 bear in mind the historic events which predetermined
25 the conditions in which the accused acted.

1 Later on we shall present to the Tribunal
2 evidence proving that after the seizure of Manchuria
3 the Japanese command manned the units stationed
4 along the Manchurian-Soviet frontier, mostly with
5 officers, who participated in the intervention
6 of 1918-1922. The Tribunal will not be in a posi-
7 tion to qualify this very important fact properly
8 if they do not take into consideration some character-
9 istic features of the Japanese intervention in the
10 Soviet Far East in 1918-1922.

11 As soon as the teeth of the young pred-
12 tory Japanese imperialism had grown, it attacked
13 our country.

14 It is a matter of common knowledge that
15 in 1904, over forty years ago, the Japanese treach-
16 erously attacked the Russian squadron in the road-
17 stead of Port Arthur. Even in those days that attack
18 made without a declaration of war, was severely con-
19 demned by the public opinion of the whole world,
20 and at the Hague World Conference in 1907 caused
21 the conclusion of the convention concerning the
22 opening of hostilities.

23 But only now after the attack on Pearl
24 Harbor this old historic episode may be understood
25 in its true light. The attack on Pearl Harbor is an

1 exact replica of the attack on Port Arthur. The
2 same method was employed: A surprise attack under
3 the cover of negotiations which were then being con-
4 ducted. This is no chance coincidence, this is a
5 method of Japanese aggressive policy, this is a
6 Japanese military doctrine on which whole genera-
7 tions of Japanese officers were brought up.

8 And small wonder that as it has already
9 been proved here, HITLER, in December 1941 through
10 the defendant OSHIMA congratulated Japan on the
11 successful employment of such a treacherous method
12 of warfare saying that he had always done so before
13 and was going to do so in the future.

14 Having availed herself of the advantage
15 accruing from the treacherous attack, weakness of
16 the tsarist Government and treachery of German
17 generals serving in the tsarist army, Japan attained
18 some military successes in the war against Russia.
19 But Japan paid a high price for these successes:
20 Her manpower and financial resources were so ex-
21 hausted that she could make use of the fruits of
22 her military successes only to a very small degree.
23 Japanese aggressive appetites were far from satis-
24 fied and the Japanese imperialism was awaiting the
25 next opportunity for further aggression against our

1 country.

2 This opportunity, as is generally known,
3 afforded itself in 1918. The Japanese Government
4 organized at that time intervention in the Soviet
5 Far East and sent Japanese troops there. But the real
6 aim of Japan was then a crazy plan to cut off the
7 whole Soviet Far East from Russia, and establish
8 the puppet government there, which would be com-
9 pletely dependent on Japan.

10 The well-known ataman SEMENOV one of the
11 leaders of white bands operating at that time in
12 the Far East whose affidavit we shall submit to the
13 Tribunal told that on November 20, 1920 when he
14 and his staff were at the station of Manchuria,
15 Colonel Isome, representative of the Japanese
16 General Staff, came from Vladivostok and informed
17 SEMENOV, that the Japanese Government was planning
18 to create an independent government in the Maritime
19 Province and was ready to support him as a candidate
20 for the post of the head of that government.

21 This proposal, was confirmed to SEMENOV
22 by a number of prominent Japanese politicians and
23 military leaders. Among them was Count MATSUDAIRA,
24 later a well-known Imperial Household Minister, who
25 was then Chief of the Japanese diplomatic mission

1 in the Far East.

2 MATSUDAIRA told SEMENOV that he, SEMENOV,
3 upon becoming the head of the Far Eastern Government,
4 should eliminate all the so-called border formalities
5 between the Maritime Province and the territory under
6 the Governor-General of Korea, in other words -- do
7 away with the border line between the Maritime
8 Province and Korea, and to include the Maritime
9 Province into the frontiers of China.

10 At the same time, according to SEMENOV's
11 testimony, General TACHIBANA and Colonel UEDA--
12 later on the Commanding General of the Kwantung
13 Army of the period when the Army attacked the
14 Mongolian People's Republic in the Nomongan area,
15 told SEMENOV that in the future the Japanese govern-
16 ment was planning to create an independent government
17 under SEMENOV in the Zabaikalye and to completely
18 annex the Maritime Province.

19 I shall not dwell in detail on the various
20 episodes relating to that time, about the rule of
21 terror which the Japanese troops established in the
22 Soviet Far East, about the active support of the
23 whiteguard bands by the Japanese troops which was
24 contrary to the solemn assurances of the Japanese
25 Government that it had no intention to interfere

1 with the domestic affairs of Russia.

2 We shall submit to the Tribunal the report,
3 taken from the State Record office of the U.S.S.R.,
4 about burning down the Ivanovka village which was
5 carried out by the Japanese in March 1919.

6 From this report the Tribunal will see
7 that even at that time the Japanese military used
8 the same methods which other Japanese officers
9 used in China, the Philippines and in other places,
10 and their spiritual brothers -- the Hitlerite bandits
11 repeated exactly in Czechoslovak village Liditsy,
12 after 20 years have passed since Ivanovka village
13 had been burned down.

14 During the Washington Conference, the first
15 Japanese delegate Baron SHIDEHARA in his speech at
16 the Conference assured that it was the fixed and
17 settled policy of Japan to respect the territorial
18 integrity of Russia, and to observe the principle
19 of non-intervention in the internal affairs.

20 And at the same time, first in Dairen and
21 then in Chunchin, during the negotiation with the
22 representatives of the Far-Eastern Republic, which
23 existed at that time, the Japanese made the so-called
24 17 demands to the Republic. These demands are pre-
25 sented to the Tribunal. (Ex. No. 30).

1 The Tribunal will see from this document
2 that Japan not only demanded for herself and her
3 subjects a number of economic privileges, but
4 stipulated that the Far Eastern Republic be com-
5 pletely disarmed and all the fortifications and
6 warships destroyed. On the other hand the Japanese
7 Government stated that it will evacuate its troops
8 from the Maritime Province area when it finds it
9 convenient and in the period of time that it deems
10 necessary.

11 Had these demands been accepted, all the
12 military power on the territory of the Far Eastern
13 Republic, the entire management of her economic
14 resources, the whole conduct of her foreign policy
15 -- would have been in the hands of the Japanese.

16 If we compare the Japanese policy of that
17 time as regards the Far Eastern Republic with what
18 was later done by the Japanese in Manchuria, we
19 shall see a striking similarity. Even as far back
20 as in 1922, Japan was trying to employ for carrying
21 out her aggressive aspirations the same method which
22 she used ten years later in Manchuria. It follows
23 then that that method was not a chance device of
24 this or that Japanese statesman who was in power
25 in 1931. Just as the method of a treacherous attack

1 without declaring war, the method of creating
2 puppet governments to disguise the Japanese
3 aggression is one of the customary means of the
4 Japanese imperialist clique. But the attempt
5 to employ this method on the Soviet territories
6 ended in complete fiasco. Under the pressure of
7 ever growing might of the Soviet State, under the
8 blows of the uninterrupted struggle of the people
9 against the Japanese invaders, and because of the
10 tense internal political situation in Japan herself,
11 the Japanese invaders were forced to clear the
12 Soviet Far East.

13 The attempt to seize the Soviet Far
14 Eastern territories ended in failure, but the
15 Japanese militarists and imperialistically minded
16 politicians continued to dream of that till the
17 very last moment and that determined a number of
18 their aggressive acts during the period covered
19 by the Indictment.

20 They could not forget the vastness of the
21 Soviet Far East where they had once been before;
22 they could not forget its natural resources, which
23 at one time they had considered their own; and they
24 regarded their withdrawal from the Soviet territories
25 as a temporary retreat which was forced on them by

1 the circumstances.

2 In August 1941, after Germany had already
3 attacked the Soviet Union, the defendant ARAKI in his
4 talk with ISHIWATA, General Secretary of the "Imperial
5 Rule Assistance Association" recollecting the Japanese
6 intervention in the Soviet Far East in 1918-1922
7 expressed his regret that Japan had not carried out
8 her purpose to the end and had not begun at the same
9 time setting the new order in East Asia.

10 Thus with the firmly established tradition
11 of cherishing aggressive plans directed against
12 our country, the Japanese militarists and politicians
13 entered into the period of World War II.

14 One of the peculiar features of this war
15 is that it came stealthily and unexpectedly for the
16 peace-loving nations.

17 As regards the World War I, it is possible
18 to name the exact day on which it broke out -- the
19 first of August, 1914 -- but it is extremely dif-
20 ficult to find such a date -- which would signify
21 the outbreak of World War II -- the first of Sept-
22 ember, 1939 cannot be taken as a day on which the
23 Big War broke out in Europe. For a long time before
24 that, guns had been fired and blood had been shed in
25 various parts of the world; in Abyssinia, in Spain,

1 and in China.

2 If it is at all possible to fix the date
3 which could be taken as a beginning of that san-
4 guinary period known as World War II -- September
5 18, 1931 could, perhaps, be named such a date with
6 good reason.

7 We shall submit to the Tribunal evidence
8 which will prove that the Japanese propaganda
9 emphasized the following facts as special achieve-
10 ments of Japan, namely that the Russo-Japanese war
11 and the war between Japan and China preceded World
12 War I; that Manchurian Incident preceded the German
13 nazis' coming to power, the annexation of Abyssinia,
14 the civil war in Spain and the re-militarization
15 of the Rhine area and that the Sino-Japanese
16 Incident preceded the annexation of Czechoslovakia
17 and Albania and the Anschluz.

18 The Japanese were boasting that they were
19 the initiators of world fascism and world aggression.
20 The point, of course, is not whether the Japanese
21 example inspired Hitler, or Hitler's bandit exploits
22 inspired the Japanese. Aggression, unleashed by
23 both of them, was a result of the criminal activities
24 of the same groups in all aggressive countries.

25 HITLER's coming to power in Germany and MUSSOLINI's

1 in Italy, and the rapid development of the Japanese
2 imperialism expressed in all these countries the
3 interests of the most aggressive and reactionary
4 social groups.

5 For us it is important that these enemies
6 of mankind which were active in Europe and in the
7 Far East were mutually connected and were persistently
8 and systematically leading an offensive against
9 freedom, democracy and peaceful labor of the peoples.

10 The World War II included in itself all the
11 population of the belligerent states which constitutes
12 about two-thirds of the population of the Globe.
13 That is why the German military doctrine invented
14 the term "Total War" for the aggressive war, un-
15 leashed by the aggressive countries, total in the
16 sense that for the waging of this war all the re-
17 sources of the belligerent state are mobilized;
18 total also in the sense that all the citizens
19 of the country -- victim to the aggression --
20 come under the blow; belligerents and civilians,
21 men and women, the old and the young. The waging
22 of this war requires a special weapon, a state
23 mechanism specially designed for this purpose --
24 "mechanism" -- the task of which is to suppress
25 by terror any protests in its own country and to

1 mobilize all for the purpose of waging aggressive wars
2 against foreign countries.

3 If we compare what was going on in Germany,
4 Italy and Japan in the period between the first and
5 second World Wars we shall see a complete analogy
6 in this respect. Everything that there was of
7 democratic nature in those countries was stamped
8 out thoroughly though at different rate and in
9 different ways. In all those three countries the
10 working class movement, which could resist the
11 aggressive aspirations of the leaders of those
12 countries was being suppressed by terrorist methods.
13 The best representatives of the toiling masses
14 were being imprisoned, sent to concentration camps
15 or went to the scaffold, levers of the state machine
16 specially adjusted for this purpose, such as secret
17 police, gendarmerie have assumed formidable size and
18 acquired an outstanding importance in the inner policy
19 of those countries.

20 The terror was not a matter of chance, it
21 was a necessary prerequisite for the preparation of
22 aggressive wars; because without it no protest
23 against aggression within the aggressive countries
24 themselves could be suppressed, no firm rear could
25 be created.

1 There was another feature common to all
2 those three main aggressors of our time -- that was
3 an advocacy of brutal nationalism, an attempt to
4 impress upon their people the idea of their alleged
5 right to rule over other peoples.

6 Evidence has already been submitted of
7 systematic measures taken in the course of quite a
8 number of years to poison the minds of the Japanese
9 people with ideas of aggressive nationalism and im-
10 perialism. We shall submit to the Tribunal a number
11 of documents which show how they did actually plan
12 to put these ideas into practice with regard to the
13 Soviet territories.

14 In Japan, as well as in other aggressive
15 countries, the state machine itself was made a weapon
16 of crime. In the hands of the social groups and polit-
17 ical parties, some representatives of which are here in
18 the dock, this state machine was the same weapon that
19 is a knife or a gun in the hands of a common murderer
20 or a bandit; the only difference being that separate
21 individuals perished from the knife in the hands of
22 the bandit, while millions perished from this mon-
23 strosous weapon of crimes, into which the Japanese
24 state machine was transformed by these people.

1 We shall try to prove that during the
2 period covered by the Indictment, the development of
3 the Japanese aggression against the Soviet Union pro-
4 gressed in such a way, that, though only on two
5 occasions it led to the state of an open, though
6 undeclared war, the conduct of Japan in regard to
7 the Soviet Union for the rest of the time was such
8 that the Soviet Japanese relations could by no means
9 be fitted into the notion of "State of peace."

10 During the whole period covered by the
11 Indictment the Japanese military planned and prepared
12 a war of aggression against the Soviet Union with
13 the consent and approval of the Japanese Government.
14 In the course of this time our people, who live in
15 the Soviet Far-Eastern districts felt like a man at
16 whom a bandit pointed his gun and who every minute,
17 day and night, had to be ready to repulse the attack
18 which threatened them. The Soviet Far East lived in
19 anxiety expecting the Japanese attack. On the vast
20 territory east of the Baikal lake the Soviet people
21 because of these Japanese imperialists, whose
22 representatives are here in the dock, were bereft
23 of the possibility of following peaceful pursuits
24 and had to be ready at any moment to put aside the
25 plough and hammer in order to take up the rifle.

It is only due to the constant vigilance
of the Soviet people and the Soviet Government, only

1 due to the relentless tension of the whole population
2 of the Far East, that the latter succeeded in avoiding
3 the Japanese invasion. Those who have never felt the
4 state of permanent and immediate military menace can
5 hardly imagine the sense of immense relief which the
6 military rout of Japan brought to the Soviet people.

7 Two hotbeds of world aggression had got into
8 shape before World War II broke out -- i.e. -- Germany
9 in Europe and Japan in Asia.

10 Their hostile attitude towards the Soviet
11 Union has still greater significance because of the
12 geographical position of our country in between these
13 two hotbeds. No wonder, the Japanese and German
14 aggressors held out their hands to one another and
15 hoped to crush the Soviet Union by their joint efforts.

16 This enmity of both German and Japanese
17 cliques towards our country served as a good reason
18 why these two biggest aggressors of our time joined
19 their hands for the first time and entered into a
20 criminal conspiracy against all democratic countries.

21 During the whole period covered by the
22 Indictment, the forms and manifestations of the
23 Japanese aggression against the Soviet Union varied
24 but immutable remained the main aim -- in this or in
25 that way, by hook or by crook -- to seize whatever part
of the Soviet Union they could lay their hands on, to

1 deal our country a blow, whenever possible.

2 For the sake of convenience we may divide
3 the whole period of the Japanese aggression against the
4 U.S.S.R. covered by the Indictment into four parts.
5 Each part is characterized by a specific form of the
6 Japanese aggression against the Soviet Union.

- 7 (a) The period from 1928 until the seizure of
8 Manchuria;
9 (b) The period from 1931 to 1936;
10 (c) The period from 1936 until the outbreak
11 of the Big War in Europe in 1939;
12 (d) The last period until the surrender of Japan.

13 In 1925 the convention concerning the basic
14 principles of peaceful relations between the U.S.S.R.
15 and Japan was concluded in Peking. This convention has
16 been submitted to the Tribunal (Exhibit No. 31). Accord-
17 ing to the convention Japan took upon herself the
18 obligation to support neither directly nor indirectly
19 any organizations or groupings whose activities would
20 be hostile to the Soviet Government. According to the
21 Portsmouth Treaty of 1905, which was confirmed by the
22 said convention, Japan pledged not to carry on any
23 military preparations either in Korea or in Manchuria,
24 directed against Russia; she also pledged not to use
25 the Manchurian railroad for military purposes.

All these pledges were grossly violated by
1 Japan. We shall prove in evidence before the Tribunal
2 that beginning from 1928 the Japanese warlords, the
3 Japanese General Staff and the Japanese Government were
4 already planning a war of aggression against the Soviet
5 Union, waiting for a suitable occasion for the initiation
6 of such a war.

7 However, the military in Japan were aware
8 that without having a sound military base it was
9 difficult to expect to wage war against the Soviet Union
10 successfully. That is why in the period of 1928-1931
11 the Japanese military were so greatly concerned about
12 acquiring such a military base. It is natural that
13 their attention was drawn first of all to Manchuria,
14 that could easily be transformed into a military base
15 for a further expansion of the Japanese aggression
16 both towards China and toward the Soviet Union.

17 While preparing for this first step the
18 Japanese military during the period of 1928-1931 and
19 later on as well, were planning and carrying on an
20 underground war of sabotage against the Soviet Union.
21 It is important that in all their activities the
22 Japanese aggressors were not satisfied with gathering
23 espionage information concerning the Soviet Union but
24 paid great attention to such methods of causing damage
25 to the Soviet Union as smuggling their agents onto the
Soviet territory to disorganize the Soviet economy by

1 staging explosions, derailing trains, etc., to commit
2 terrorist acts against the leaders of the Soviet state,
3 and, in general, to such hostile acts which are fully
4 contradictory to the generally accepted notion of
5 peaceful relations between countries.

6 We shall submit evidence to the Tribunal
7 testifying that during those years such sabotage and
8 undermining activities of the Japanese agents against
9 the Soviet country were carried out according to
10 plans previously carefully elaborated following direct
11 instructions of the Japanese military.

12 We shall submit evidence to the Tribunal
13 which will prove the existence of a number of such
14 plans. The military-diplomatic personnel of Japan
15 took active part in all these sabotage activities.

16 For example, in 1929, in Berlin, the
17 defendant MATSUI held a special conference of Japanese
18 military attaches in Europe; at the conference the
19 question of organizing sabotage activities on the
20 Soviet territory was discussed. We shall submit to
21 the Tribunal notes made at the conference.

22 On November 15, 1929, the defendant HASHIMOTO,
23 who at that time was military attaché in Turkey,
24 submitted to the General Staff a detailed report on
25 how to make use of the Caucasus for "Political-Sabotage
 purposes against the U.S.S.R." In the report he

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24 submitted to the General Staff a detailed report on
25 how to make use of the Caucasus for "Political-Sabotage
purposes against the U.S.S.R." In the report he

1 submits not only a detailed and elaborated plan of
2 measures to be taken, but contemplates such steps as
3 would cause controversy between the U.S.S.R. and other
4 countries. We shall submit the complete text of this
5 report.

6 The seizure of Manchuria in 1931 was a very
7 important stage in the expansion of the Japanese
8 aggression, not only against China, but against the
9 Soviet Union as well. Moreover, the occupation of
10 Manchuria was of major importance, for the preparation
11 of the Japanese aggression as a whole, because it was
12 widely used to strengthen the influence of the militarist
13 clique within Japan herself. It was by no mere chance
14 that in Japan a number of terrorist acts followed
15 the occupation of Manchuria, which were organized by
16 underground societies composed of the most aggressive
17 elements of the Japanese military.

18 The documentary evidence regarding these
19 terrorist acts has already been submitted at another
20 stage of the present trial. I will not repeat anything
21 of what has already been said on the matter. I would
22 only like to point out that the years 1931 and 1932
23 constituted an important phase both in foreign and
home policies of Japan.

24 As to the foreign policy in these years
25 there was committed the first overt act of aggression

1 after the unsuccessful end of the Japanese inter-
2 vention in the Far East. As to the home policy that
3 was the final accomplishment of terrorist measures
4 that had been carried out in a number of years against
5 Japanese democracy, and in particular, against the
6 working class.

7 It is true that the underground terrorist
8 organization of the so-called young officers instigated
9 by the defendant ARAKI and others, who organized
10 political assassinations in 1931-1932, failed at that
11 time to bring about a coup d'etat and take the power
12 into their hands at once. However, the results of
13 their activities were clear: The state machine of
14 Japan and the policy followed by it after 1932 was
15 shaped closer to the fascist pattern than it had been
prior to that time.

16 In the first half of 1931, when the plan of
17 the occupation of Manchuria was only being drawn up and
18 its present realization being prepared, the Japanese
19 General Staff sent Major-General HARADA on commission
20 to Europe. There are reasons to believe that one of
21 the principal aims of his trip was to study the
22 situation in Europe in connection with the preparation
23 and activation of the Japanese aggressive policy being
24 carried out at that time, on his way back Major-General
25 HARADA stopped in Moscow and had a long talk with the

1 then Japanese Ambassador in Moscow, the defendant HIROTA,
2 and with the military attache Lieutenant-Colonel KASAHARA.
3 We shall submit to the Tribunal a detailed record of
4 this talk made by KASAHARA.

5 This document will show to the Tribunal that
6 already in summer 1931 the question of an attack against
7 the Soviet Union was put on the agenda not only by the
8 leaders of the Japanese military, but by the Japanese
9 diplomats as well and therefore it is evidence that at
10 the very beginning of the occupation of Manchuria they
11 planned to turn it into a military base against the
12 Soviet Union.

13 We shall prove by this document that the
14 Japanese Government and the Japanese General Staff
15 knew from their official representatives in Moscow that
16 Japan had nothing to fear on the part of the Soviet
17 Union and therefore all talk about defense was only a
18 camouflage of the aggression planned by the Japanese.

19 It is of special interest that the same
20 HIROTA, who later on signed the anti-Comintern pact,
21 said that the principal aim of a war against the U.S.S.R.
22 was not so much defense of Japan against communism as
23 seizure of the Soviet Far East and the Eastern Siberia.

24 That this was not only HIROTA's private
25 opinion but also the point of view held by the Japanese
Government is clear from the following very important

1 fact:

2 At the end of 1931 the Soviet Government pro-
3 posed to the Japanese Government that a non-aggression
4 pact be concluded; this proposal was repeated in 1932.

5 The Japanese Government rejected the proposal.

6 We shall submit to the Tribunal documents
7 which will show the complete course of negotiations of
this question.

8 The Japanese Government refused to conclude
9 a non-aggression pact with the U.S.S.R. on the ground
10 that disputable questions existed between the U.S.S.R. and
11 Japan and the time had not yet come to conclude the
pact.

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1 The Japanese Government paid no attention
2 to the argumentation of the Soviet Government that the
3 conclusion of the pact would have created favorable
4 ground for solving these disputable questions.

5 Such attitude of the Japanese Government has
6 only one meaning: The Japanese Government wanted to
7 use the threat of military attack as an argument while
8 negotiating on these disputable questions and if that
9 threat would not have been effective enough, to carry
10 out such an attack.

11 This refusal to sign the pact, proposed by
12 the Soviet Union proves beyond any doubt that those
13 military preparations which were started by the Japa-
14 nese military authorities immediately after the occu-
15 pation of Manchuria did not aim at defense but that the
16 purpose of these preparations was to turn Manchuria
17 and Korea into a military base for waging a war of ag-
18 gression against the Soviet Union.

19 We shall submit to the Tribunal exhaustive
20 documentary evidence which proves that approximately
21 between 1931 and 1936 the strength of the Japanese
22 troops in Manchuria increased from 50,000 up to
23 270,000 men. The number of planes increased three fold,
24 the number of pieces of ordnance four fold, and the
25 number of tanks more than ten fold. Simultaneously,

1 the Kwantung Army command was feverishly working at the
2 creation of a material base for the future attack
3 against the Soviet Union; Barracks, military dumps
4 were being built uninhabited territories in the North-
5 ern Manchuria, which had no economic importance; stra-
6 tegic railroads and highways leading to the frontiers
7 of the Soviet Union were being constructed, fortified
8 districts were being built on the Soviet frontiers.

9 We shall submit to the Tribunal outline maps
10 which illustrate these activities of the Kwantung Army,
11 which were carried out in accordance with the directives
12 of the Japanese General Staff and the Japanese Govern-
13 ment, and in violating of the Portsmouth Treaty in
14 which Japan gave obligations to keep no troops in Man-
15 churia and construct no fortifications on the Russian
16 frontier.

17 Hundreds of millions of yen were spent on
18 these preparatory measures for a war of aggression
19 against the Soviet Union and it can be easily understood
20 that this could not have been done without or approval
21 of the Government.

22 It will be enough to throw a single glance
23 on the said outline maps in order to understand clearly
24 that all military preparations in Manchuria were di-
25 rected against the Soviet Union; they were concentrated

1 in the north and particularly in the east areas of
2 Manchuria, near the points which, according to the
3 operation plans of the Japanese General Staff (the
4 existence of those plans will be proved by evidence
5 to be submitted to the Tribunal), were to serve as a
6 jumping-board for the invasion of the Japanese troops
7 onto the Soviet territory.

8 Japan created on the Manchurian territory
9 the so-called "Kyo-Va-Kai" society, the membership of
10 which later on reached 4.5 million. The general pur-
11 pose of this society, which was headed by the Japanese,
12 was the consolidation of the Japanese influence in
13 Manchuria, but we shall prove that one of the import-
14 ant and specific tasks of this society, to which the Jap-
15 nese command paid most serious attention, was the
16 ideological and organization preparation of the Man-
17 churian population for a future war against the Soviet
18 Union.

19 In spite of the obligation, which the Japa-
20 nese Government took upon itself in the Peking Con-
21 vention of 1925, the Kwantung Army command making use
22 of the funds specially assigned for the purpose, under-
23 took the organization of elements hostile to the Soviet
24 Union, elements that were among the Russian emigrants
25 living in Manchuria. The Japanese created a special

1 organization "Bureau of Russian Emigrants" which was
2 connected in its structure with the "Kyo-Wa-Kai" so-
3 ciety and worked under the direct leadership of the
4 so-called Japanese military mission in Kharbin.

5 This organization pursued the aim of carrying
6 out pro-Japanese propaganda hostile towards the Soviet
7 Union, among Russian emigrants, to teach Russian emi-
8 grants methods of sabotage, to form them into special
9 sabotage detachments, which were in time of peace se-
10 cretly smuggled onto the Soviet territory, and for
11 carrying out all sorts of provocative raids on the
12 Chinese-Eastern Railroad, which passed on the Manchurian
13 territory and was joint property of the Soviet Union
14 and China. In war time it was planned to recruit
15 special detachments out of Russian whiteguards, who
16 had undergone special training under the direction of
17 the Japanese intelligence service. These detachments
18 were to operate in the Red Army rear.

19 If the principal activities of the Japanese
20 military in Manchuria in 1931-1936 were directed on
21 the preparation for the future military operations,
22 this in no way means that during that time the Japanese
23 gave up hostile acts against the Soviet Union. These
24 hostile acts were rather various as to their scale,
25 and nature.

1 The Chinese Eastern Railroad became one of
2 the objects of such attacks. During all this period,
3 up to 1935, the Japanese military, both directly and
4 through the so-called Government of Manchoukuo, were
5 permanently organizing and encouraging acts of sabo-
6 tage, violence and atrocities on the Chinese Eastern
7 Railroad. Railroad accidents, bandit raids on the
8 stations, murder and kidnapping of Soviet citizens were
9 systematically organized.

10 Constantly carrying out peaceful policy,
11 resisting provocation and wishing to avoid any pretext
12 for further conflicts the Soviet Government in 1935 was
13 forced to agree to sell the Chinese Eastern Railroad,
14 at a low price, though this railroad was immensely im-
15 portant for the communication between the Soviet Mari-
16 time Province and Central Russia.

17 Another method of aggressive thrusts against
18 the Soviet Union during this period was the instigation
19 of innumerable frontier incidents. We shall present
20 documents containing detailed information on these
21 frontier incidents. Here it will be sufficient to
22 mention that there were hundreds and thousands of inci-
23 dents of different scale, beginning with small clashes
24 between separate frontier-guard soldiers, smuggling
25 groups of saboteurs and bandits and propaganda litera-

1 ture hostile to the Soviet Union onto the Soviet terri-
2 tory, and ending with military clashes of such consider-
3 able scale as the clash at the Hanka Lake in 1936, in
4 which about a battalion of Japanese infantry took part.

5 During the same period Japan took all measures
6 to establish her military, political and economic dom-
7 ination in the Inner Mongolia with the aim of spread-
8 ing it later onto the Outer Mongolia, where in 1922
9 the Mongolian People's Republic had been formed.

10 The Japanese military planned the occupation
11 of the Mongolian People's Republic intending to turn her
12 territory into the military base for an attack against
13 the vital lines of communication of the Soviet Union.

14 In March 1936 the defendant ITAGAKI, who at
15 that time was Chief of the Kwantung Army Headquarters
16 in his talk with Ambassador ARITA said that it was
17 enough to throw a single glance at the map of the East
18 Asia continent to see that the geographical situation
19 of the Outer Mongolia had a great significance because
20 she covered the flank of the Siberian Railway, which
21 connected the Soviet Far East and European Russia,
22 from the influence of modern Japan and Manchoukuo.

23 ITAGAKI emphasized the fact that should the Outer Mongo-
24 lia join Japan and Manchuria, the safety of the Soviet
25 Far East would have been upset almost completely and

1 that probably would have given possibility in case of
2 tense international situation to make Soviet forces
3 withdraw from the Far East almost without opening hos-
4 tilities. ITAGAKI assured ARITA that the army was plan-
5 ning in every way to spread the influence of Japan and
6 Manchoukuo onto the Outer Mongolia.

7 What these methods were had already been suffi-
8 ciently known by that time from the example of activi-
9 ties of the Japanese military in Manchuria and North
10 China. As the Tribunal already knows, the Kwantung
11 Army at that time was creating a puppet Government in
12 the Inner Mongolia, which was under Japanese influence.
13 The troops of the Kwantung Army were already approach-
14 ing the borders of the Mongolian People's Republic.
15 The Soviet Government, naturally, could not remain in-
16 different to this new stage of the Japanese aggression
17 immediately directed against the Soviet Union, as it is
18 clearly seen from ITAGAKI's words given above. There-
19 fore, in March 1936 the Soviet Union and the Mongolian
20 People's Republic signed a mutual assistance pact.
21 This pact was submitted to the Tribunal (Exhibit No.
22 214).

23 The Soviet Government through the Japanese
24 Ambassador in Moscow officially warned Japan that in-
25 case she attacked the Mongolian People's Republic the

Soviet Union would help the latter with her armed
1 forces. This made the Japanese aggressors think it
2 out for awhile, but not give up their aggressive plans.
3 They realized that they could not possibly carry out
4 their aggressive intentions against the Mongolian
5 People's Republic and the Soviet Far East by their own
6 forces. It was necessary to look for allies in Europe.
7

By that time Germany and Italy were distinctly
8 outlined on the European background as definitely ag-
9 gressive powers akin to Japan by their anti-democratic
10 spirit. Germany by that time had already been intensely
11 carrying out her program of armaments having unilater-
12 ally renounced the Articles of the Versailles Treaty
13 which had provided for the limitation of German arma-
14 ments. Her troops had already entered the demilitarized
15 Rhine area.
16

Italy by that time had already carried out
17 her aggression in Ethiopia, joint Italo-German inter-
18 vention had already been started in Spain.
19

The Japanese statesmen as well as the whole
20 world clearly saw who in Europe would willingly agree
21 to any diplomatic combination which could help to ini-
22 tiate a world war of aggression. Therefore, it was
23 natural that Japan commenced negotiations precisely
24 with these aggressive countries particularly first of
25

1 all with the Hitlerite Germany, which was the most ag-
2 gressive country.

3 On November 25, 1936 the so-called Anti-
4 Comintern Pact was signed. The contents of the secret
5 agreement attached to the Pact, now submitted to the
6 Tribunal (Exhibit No. 36) was not known at that time.
7 Now we definitely know that it was directed immediately
8 against the Soviet Union. At that time Japan, as well
9 as Germany, tried to convince the world that the Pact
10 signed by them was a weapon of purely ideological
11 struggle against the influence of the Comintern. But
12 even then it was clear to the whole world that all this
13 talk about fighting against the influence of the Comin-
14 tern was only a screen hiding actual conspiracy of ag-
15 gressive states to carry out joint aggression against
16 the democratic powers. It was the first stage of the
17 conspiracy between the aggressive powers, the aim of
18 which was joint struggle against democracy and division
19 of the rest of the world among themselves. The events
20 soon showed the true meaning of this Anti-Comintern
21 Pact. In the autumn of 1936 the Pact was signed and
22 in summer of 1937 Japan began a new round of aggression
23 in China and several months later Germany occupied
24 Austria.

1 We shall submit to the Tribunal evid-
2 ence which will prove that the leaders of Germany
3 and Japan (RIBBENTROP, HIRANUMA and others) under-
4 stood the importance and the true meaning of the
5 Anti-Comintern pact precisely in the same way.

6 All the defendants bear personal res-
7 ponsibility for the conclusion of this pact, as it
8 was one of the actions resulting from the conspiracy,
9 which had existed between them. But first of all
10 the responsibility for the conclusion of this pact
11 rests with the defendant HIROTA, who was the Prime-
12 Minister and Foreign Minister, at that time, and
13 with the defendant HIRANUMA, who was President of
14 the Privy Council which, under HIRANUMA presiding,
15 approved of the conclusion of this pact.

16 Thus by 1936 Japan had completed the
17 first stage of her military preparations in Man-
18 churia and North China, had come to an agreement
19 with the Hitlerite Germany on joint aggressive
20 actions against democratic powers and was ready to
21 carry out her aggressive designs in a new, more
22 decisive and open manner.

23 All this found its expression in the Japanese
24 attack against China on July 7, 1937, which has
25 already been dealt with, on the one hand, and on the

1 other, in the fact that Japan passed over from meth-
2 ods of underground war of sabotage and small provo-
3 cative attacks against the Soviet Union to the meth-
4 ods of open military attacks against the U.S.S.R.
5 territory.

6 After the Anti-Comintern pact had justi-
7 fied its purpose in actions, as a link uniting the
8 forces of the aggressors against democratic powers,
9 Japan, governed by the criminal militarist clique,
10 for the purpose of giving a large-scale range to
11 her aggressive foreign policy, which was being con-
12 ducted by means of gross violations of the inter-
13 national law, customs and treaties, began to strive
14 for a still closer contact with the Hitlerite Ger-
15 many and fascist Italy, which pursued the same aims
16 in Europe.

17 On this basis, beginning from January 1938
18 Japan entered into negotiations with Germany and
19 Italy on the conclusion of a complete military and
20 political alliance between them.

21 The defendant OSHIMA, who at first was the
22 Japanese military attache, and then the Japanese
23 Ambassador in Berlin, was from the Japanese side
24 main moving power in these negotiations. During
25 more than a year and a half negotiations led to no

1 results because certain differences sprang up be-
2 tween Japan and Germany, concerning the nearest
3 objectives of their joint aggression. Japan in-
4 sisted that the Soviet Union should be this ob-
5 jective.

6 At the same time, HITLER, who had already
7 gone far in working out and realizing his plans of
8 conquest of world domination had no wish to limit
9 these plans in any way.

10 In connection with this, these western
11 and eastern aggressors for a long time could not
12 reach understanding. It is known that this ques-
13 tion was discussed scores of times at the confer-
14 ences of leading Japanese ministers.

15 I repeat that the dispute between Germany
16 and Japan did not concern the principles of the alli-
17 ance. The principle was clear enough--to attack demo-
18 cratic countries and enslave peoples of these count-
19 ries. The differences were whom to begin with, who
20 was to be the first object of the attack.

21 The Japanese Government, headed at that
22 time by HIRANUMA, thought that the time had already
23 come to carry out the plan of military attack against
24 the Soviet Union.

25 Here at this trial during the examination

1 of the witnesses SHIDENARA, UGAKI, OKADA and others
2 we saw an absolutely ridiculous picture. We were
3 asked to believe that all in Japan--the Government,
4 including the War Minister, the Court circles and
5 Japanese ruling class as a whole, that is all of
6 them with the exception of several colonels and
7 majors from the Kwantung Army were against aggress-
8 ion, showed their indignation, did all they could
9 to stop it, and nevertheless the Japanese troops
10 during ten years were marching on and on, starting
11 new attacks, seizing new territories. They try to
12 tell us that seeing these events the alleged opposers
13 of the aggression were only helplessly sighing and
14 shrugging their shoulders.

15 They hush up the fact that these people ex-
16 ploited the results of the aggression which they
17 allegedly disapproved of. We shall submit to the
18 Tribunal evidence which will prove that the attacks
19 of the Japanese troops against the Soviet territory
20 and the M.P.R. territory were carried out with the
21 knowledge of the Japanese Government with its per-
22 mission and full approval as it had been by the way
23 during other stages of the Japanese aggression.

24 In the diary of the defendant KIDO, sub-
25 mitted to the Tribunal (Exhibit No. 178) there is an

1 entry of June 21, 1941 in which KIDO stated that
2 HIRANUMA, being the Prime-Minister of Japan many
3 times raised the question of the necessity of an
4 attack against the Soviet Union. But, as the treaty
5 of military alliance with Germany had not yet been
6 signed and the leaders of the Japanese Government
7 could not be sure when exactly Germany planned to
8 attack the Soviet Union, the Japanese Government
9 and the General Staff were in such a position when
10 on the one hand they wanted to initiate a war
11 against the Soviet Union, and on the other hand were
12 afraid to take this decision. The experience of a
13 many years' aggression on the Chinese territory had
14 already taught them that the so-called "Incidents"
15 of all kinds often give better results than actual,
16 so to say, official war.

17 The Japanese warlords, with full approval of
18 the Japanese Government, decided to use the same
19 method against the Soviet Union.

20 The first of such "Incidents", which in
21 reality was an actual war in which artillery, tanks
22 and airforces participated, was an "Incident" staged
23 by the Japanese Government and the Japanese Military
24 on the approaches to Vladivostok in the Lake Hassan
25 area. We shall submit to the Tribunal evidence which

1 will prove beyond any doubt that beginning from 1933,
2 the Japanese military command paid special attention
3 to this area. In July 1938 the command of the Japan-
4 ese Korean Army began to concentrate its forces in the
5 said area, on the frontier of the Soviet Union. When
6 the necessary amount of troops had been concentrated,
7 the defendant SHIGEMITSU, the Japanese Ambassador in
8 Moscow, came to the People's Commissariat for For-
9 eign Affairs and demanded the "Zaozernaya" Hill, which
10 had serious strategic importance on the approaches to
11 Vladivostok, to be transferred to Manchoukuo, in
12 other words, to Japan.

13 SHIGEMITSU claimed that this hill belonged
14 to Manchuria. The Soviet representative submitted
15 the original map attached to the Hunchun Treaty be-
16 tween Russia and China in 1886 which established the
17 frontier between these countries in the said area,
18 and clearly showed that the territory which the Japan-
19 ese claimed belonged to the Soviet Union.

20 SHIGEMITSU refused to consider and discuss
21 the map, though according to the established inter-
22 national practice, maps, attached to international
23 treaties, were the generally accepted legal grounds
24 for delimiting frontiers between the states. He
25 said he did not want to busy himself with such

1 trifles as some maps attached to an international
2 treaty, and if Japan and Manchoukuo considered
3 that the Zaozernaya hill belonged to them, then it
4 had to belong to them no matter what was shown on
5 any map. Besides, SHIGEMITSU openly threatened
6 to use armed forces in case the Zaozernaya hill would
7 not be transferred to Manchuria by the Soviet Union
8 on her own free will.

9 Naturally, the Soviet Government would not
10 yield to such blackmailing on the part of Japan.
11 Then, on July 29, 1938 the Japanese Korean Army units
12 concentrated in the Lake Hassan area, launched an
13 offensive. They partly destroyed the weak frontier-
14 guard outposts of the Soviet frontierguard corps,
15 located on the Zaozernaya hill and occupied this
16 hill. The Soviet Government was forced to throw the
17 Red Army field units into battle. The Kwantung Army
18 was at that time speedily preparing two divisions
19 which were to march out to help the Japanese Korean
20 Army, but was late in this--the Soviet troops com-
21 pletely routed the Japanese units which seized the
22 Soviet territory and drove them beyond the Soviet
23 frontier.

24 The Japanese propaganda tried to draw a
25 false picture that events were started by the Soviet

frontier guards seizing the Manchurian territory.
We shall here submit the evidence, proving two
essential facts: First, that the territory which
was the objective of the battle actions always be-
longed to the U.S.S.R., and second, that it was the
Japanese troops which made an attack on this section
of the frontier, which was held at the time only by
small frontier guard outposts of the Soviet frontier-
guard corps. The Japanese Government knew and appro-
ved of this attack. It is quite evident that neither
the local military command nor the Japanese General
Staff could give directions to the defendant SHIGEMITSU,
the Japanese Ambassador in Moscow, to hand
to the Soviet Government a demand to cede the Soviet
territory to Manchuria, threatening otherwise to use
armed forces. The diplomatic actions of such kind
are carried out only under the directives of the
Government. SHIGEMITSU himself in his talk with
M. M. LITVINOV confirmed that such directives had
been given in that case. Therefore, the attempts
to take responsibility for this undeclared war
against the U.S.S.R. from the Japanese Government
and put it on the local military command must be
categorically rejected. The responsibility for this
particular fact of the Japanese aggression against

1 the Soviet Union must be laid on all those who at
2 the time were members of the Japanese Government,
3 and were responsible for its policy, and in parti-
4 cular the defendant HIROTA, who at that time was
5 Foreign Minister, and the defendant SHIGEMITSU.

6 A witness, TANAKA, Ryikit examined be-
7 fore this Tribunal stated that the rout which the
8 Japanese troops had suffered in this battle made
9 him think seriously whether the Japanese Army was
10 ready for a Big War.

11 But the lesson which they had learned at
12 the Hassan Lake did not make the Japanese Government
13 and the leaders of the Japanese Army wiser. In the
14 following year, 1939, they renewed their aggression,
15 this time on the territory of the Mongolian People's
16 Republic, in the Nomon-Gun Area. The Japanese Govern-
17 ment and Japanese military command knew well of the
18 existing treaty of mutual assistance between the
19 Soviet Union and the Mongolian People's Republic.
20 They knew beforehand that an attack on the territory
21 of this Republic would inevitably lead to a clash of
22 arms with the Soviet Union and consciously were ready
23 to do it.

24 The purpose of the military operations of
25 the Kwantung Army in the Nomongan Area, was to carry

out those plans, of which ITAGAKI had spoken in his
1 talk with ARITA, i.e., to secure a military base for
2 the purpose of breaking through onto the Soviet
3 territory in order to cut the Siberian Railroad trunk
4 line and to cut off the Soviet Far East from Russia.
5 This operation was preceded by a thorough preparation.
6 We shall submit to the Tribunal a map published in
7 1934 by the administrative department of the Kwan-
8 tung Region, which was directly subordinated to the
9 Commanding General of the Kwantung Army. The fron-
10 tier between the M.P.R. and Manchuria is shown quite
11 exactly east of the Khalkhin-Gol river.
12

13 It precisely corresponds to the frontiers,
14 shown in the official Chinese publication of 1919.
15 But a year later, in 1935, the same administrative
16 department published a new map on which the frontier
17 between the M.P.R. and Manchuria was already shown
18 along the Khalkhin-Gol river. Thus the whole Nomon-
19 gan oasis was transferred from the M.P.R. territory
20 onto the Manchurian territory. This oasis had not
21 only economic importance for the local population,
22 but it could have easily been turned into a mili-
23 tary base for a further advance onto the territory
24 of the Mongolian People's Republic.
25

Thus, the Japanese military and governmental

1 authorities first seized the territory they wished
2 on the map, and then started the actual seizure of
3 this territory.

4 The military preparations were being carried
5 out this time on a considerable larger scale
6 than in the preceding year. This time the undeclared
7 war against the M.P.R. and the Soviet Union initiated
8 by the Japanese continued for four months and
9 ended in a complete rout of the Japanese armed forces
10 engaged in it.

11 There are no doubts that the Japanese
12 Government and the Japanese General Staff are
13 responsible for this.

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1 The defendant HIRANUMA admitted that he, being
2 at that time the Prime Minister of Japan, knew about
3 this attack and he alleged that he tried to persuade
4 the defendant ITAGAKI, the then War Minister, to stop
5 this attack, but failed. But HIRANUMA answered in the
6 negative to the question whether he reported to the
7 Emperor on the necessity to stop this war. Besides,
8 a detailed communique on these battles was made in
9 July 1939 in the official publication "Tokyo-Gazette".
10 Thus already in July the Japanese Government not only
11 knew but officially informed of this undeclared war.
12 In spite of the fact the war continued after this for
13 more than two months. Such fact could not have taken
14 place if the Government would not have approved of the
15 war.

16 The Japanese propaganda falsifying all the
17 circumstances under which this attack of Japan on the
18 M.P.R. territory took place, tried to present these
19 events as an unsuccessful attempt of the Mongolian
20 troops to invade the Manchurian territory which was
21 "victoriously repulsed by the glorious Kwantung Army."
22 It is quite evident that this fabrication is absolutely
23 ridiculous, the direct result of the Nomongan area
24 events for the "Glorious Kwantung Army" was that
25 General UEDA, the Commanding General of that army,

1 and all his principal staff officers were discharged,
2 probably as a reward for "the victory gained by them."

3 This proves, by the way, that the initiators
4 of the Japanese aggression working in Tokyo could, when
5 they wanted, discharge the Kwantung Army Command.
6 The point is that they used such a drastic measure
7 not as a punishment for the aggression, but as a
8 punishment for failure to spread this aggression.

9 Not less ridiculous are the statements
10 that the troops of the small M.P.R. attacked the
11 Japanese armed forces. As far as the Soviet troops are
12 concerned, it will be clear from evidence which we
13 shall submit to the Tribunal, that the clash of the
14 Japanese forces with the Red Army units took place
15 on the western bank of the Khalkhin-Gol river, i.e.,
16 on the territory which even according to the fabri-
17 cated Japanese map belonged to Mongolia. The above
18 said maps which we shall submit to the Tribunal will
19 prove beyond any doubt not only the falsity of the
20 statements of the Japanese propaganda, but also the
21 fact that aggressive attack of Japan was thoroughly
22 thought over and prepared beforehand and has all
23 features of a premeditated and willful crime.

24 All the defendants must bear responsibil-
25 ity for the initiation of this undeclared war be-

1 cause this concrete fact of aggression as well as the
2 one mentioned above, is only one of the manifestations
3 of that general plan or conspiracy in which they all
4 participated, but HIRANUMA, the then Prime-Minister,
5 and ITAGAKI, the War-Minister, are the first to be
6 responsible for this concrete fact.

7 The complete rout of the Kwantung Army
8 selected units in the Nomongan area showed to the
9 Japanese militarists that Japan alone could not
10 fight the U.S.S.R. down and the leaders of the Jap-
11 anese aggression began with ever increasing lust to
12 look at the German mailed fist under the stroke of
13 which the democratic countries of Europe--Czecho-
14 slovakia, Poland, Norway, Denmark, Netherlands, Bel-
15 gium, France were falling in turn.

16 However, in the political situation of
17 summer 1939, Germany considered it advantageous for
18 herself to make a proposal to the Soviet Union to
19 conclude a non-aggression pact. The U.S.S.R. thought
20 it possible to accept this proposal, following her
21 policy of consolidating peaceful relations with all
22 countries, which would maintain the same relations
23 with the Soviet Union.

24 It is known that this treaty was later on
25 treacherously violated by Germany who, on June 22,

1 cause this concrete fact of aggression as well as the
2 one mentioned above, is only one of the manifestations
3 of that general plan or conspiracy in which they all
4 participated, but HIRANUMA, the then Prime-Minister,
5 and ITAGAKI, the War-Minister, are the first to be
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7 The complete rout of the Kwantung Army
8 selected units in the Nomongan area showed to the
9 Japanese militarists that Japan alone could not
10 fight the U.S.S.R. down and the leaders of the Jap-
11 anese aggression began with ever increasing lust to
12 look at the German mailed fist under the stroke of
13 which the democratic countries of Europe--Czecho-
14 slovakia, Poland, Norway, Denmark, Netherlands, Bel-
15 gium, France were falling in turn.

16 However, in the political situation of
17 summer 1939, Germany considered it advantageous for
18 herself to make a proposal to the Soviet Union to
19 conclude a non-aggression pact. The U.S.S.R. thought
20 it possible to accept this proposal, following her
21 policy of consolidating peaceful relations with all
22 countries, which would maintain the same relations
23 with the Soviet Union.

24 It is known that this treaty was later on
25 treacherously violated by Germany who, on June 22,

1 1941 attacked the Soviet Union.

2 As the Japanese Government headed by the
3 defendant HIRANUMA was conducting negotiations on
4 concluding a military alliance with Germany mainly
5 for the purpose of an immediate joint attack against
6 the U.S.S.R., they rashly interpreted the conclusion
7 of the pact with the U.S.S.R. as a "betrayal" by
8 Germany of the principles of the anti-Comintern
9 pact and as a rejection of a military alliance with
10 Japan.

11 In connection with that the defendants
12 OSHIMA and SHIRATORI who were at that time the Jap-
13 anese Ambassadors in Berlin and Rome and who as it
14 has already been said above, actively worked for the
15 conclusion of the alliance between Japan, Germany
16 and Italy, resigned their posts as a matter of de-
17 monstration thus closely connecting their personal
18 fate with the fate of organization of conspiracy
19 against democratic countries and against the U.S.S.R.
20 in particular. The defendant HIRANUMA, guided by the
21 same considerations also resigned the post of Prime-
22 Minister. He also thought that the conclusion of
23 alliance with Germany and Italy directed against
24 the U.S.S.R. was the basic political task of the
25 Government headed by him and interpreted the un-

1 success in this question as a political failure of his
2 cabinet and himself personally.

3 However, later on the aggressive clique,
4 which directed the Japanese policy clearly understood
5 that concluding the pact with the U.S.S.R., Germany
6 was guided by considerations of purely temporary
7 political situation, and in no way abandoned her
8 aggressive aims or betrayed the common cause of the
9 aggressors and the "principles" of the anti-Comintern
10 pact. On this basis, in the summer of 1940, the ne-
11 gotiations between Germany and Italy on the one side
12 and Japan on the other on the conclusion of a mil-
13 itary and political alliance were renewed. On
14 September 27, 1940 these negotiations resulted in
15 a conclusion of the tri-partite pact, which gave
16 final shape to the conspiracy of aggressive powers
17 against the democratic world and against the U.S.S.R.
18 in particular. This pact was submitted to the Tri-
19 bunal. (Exhibit No. 43). A number of criminal
20 acts of a large international scale were the fruits
21 of this conspiracy. We contend that the Soviet Union
22 from the very beginning was considered to be one of
23 the victims of this conspiracy and that practical
24 realization of this conspiracy caused considerable
25 damage to the interests of the Soviet Union.

1 It is very significant that at that time
2 the defendant OSHIMA returned to the post of the
3 Japanese Ambassador in Berlin and received a fully
4 deserved decoration from Hitler, the leader of the
5 international gang.

6 The nature of the tri-partite pact was in
7 conspiracy of aggressors for the purpose of estab-
8 lishing the so-called "new order" throughout the
9 world and in estimation of the share of the booty
10 for each of them. By the moment of the signing of
11 the pact, the action of Germany in Europe and of
12 Japan in China had already shown in practice that
13 both countries understood this "New Order" in the
14 same way, as enslavement of peaceful people, racial
15 and national oppression, mass shooting of civilian
16 population, looting of the seized territories, ex-
17 traction of the roots of democracy in the conquered
18 states.

19 Naturally, the pact proclaiming the estab-
20 lishment of the regime of looting and violence through-
21 out the world to be its purpose, was directed against
22 all democratic countries, which could not stand the
23 realization of this most dangerous Japanese German
24 doctrine, the realization of which could have made
25 victims of any democratic country and finally of

1 all the democratic world.

2 The leaders of the Japanese aggression
3 understood well that creating a bloc of fascist,
4 aggressive states, whose purpose was to forcibly es-
5 tablish the "New Order", they split the world into two
6 camps; the bloc of aggressors on the one side and
7 all other countries on the other.

8 We shall submit to the Tribunal document-
9 ary evidence which will prove that Tojo in particular
10 understood the situation precisely in this same way.

11 Many of the leaders of the Japanese aggres-
12 sion (KONOYE, MATSUOKA and others) several times attem-
13 pted to depict the period which followed the end of
14 the Nomongan area events as a period during which
15 Japan, as alleged, used all her force to adjust re-
16 lations with the U.S.S.R. They tried to represent
17 it in the following way: That if at the first stage
18 of negotiations between Japan and Germany in 1938-
19 1939 the point of their alliance was actually to be
20 directed against the U.S.S.R., at the second stage of
21 these negotiations in 1940 the point of the alliance,
22 as they alleged, was turned only against the USA
23 and Great Britain. Regarding the U.S.S.R. the tri-
24 partite pact, on the contrary, was as they said, to
25 be an instrument of "adjusting" that Japano-Russian

1 relations. They quote as proof of the statement,
2 the 5th count of the pact, in which it was said
3 that the pact did not encroach upon the political
4 status which existed at that time between each of
5 its signatories and the U.S.S.R.

6 As far as the 5th count of the pact is
7 concerned we have no need to go far to explain the
8 meaning of its contents. Such explanation was giv-
9 en by Foreign Minister MATSUOKA on September 26, 1940
10 at the meeting of the Privy Council called to study
11 the question of concluding the tri-partite pact.
12 We shall submit to the Tribunal the minutes of this
13 conference.

14 He explained during that conference that
15 although a non-aggression treaty between the U.S.S.R.
16 and Germany existed, Japan would back Germany in
17 case a war between Germany and the Soviet Union
18 started, while Germany would help Japan in case of
19 a clash between Japan and the U.S.S.R. Concerning
20 Count 5 which said that the pact did not encroach
21 upon the political status existing at that time be-
22 tween each of the three signatories of the agree-
23 ment on the one hand and the Soviet Union on the
24 other, MATSUOKA explained that this count did not
25 mean that the existing attitude of the Soviet Union

1 could not be changed. It simply meant that the pact
2 under review did not attempt to change it.

3 It is true that at the same conference
4 MATSUOKA also said that it would do no harm to im-
5 prove the Russo-Japanese relations in the future.
6 But again at the same conference MATSUOKA direct-
7 ly emphasized that even if the improvement of the
8 Russo-Japanese relations would take place, it would
9 scarcely last for more than three years and in two
10 years it would be necessary to reconsider the rela-
11 tions between Japan, the Soviet Union and Germany.

12 We contend that Count 5 was included into
13 the tri-partite pact at that moment according to
14 the tactical considerations of the participants of
15 the pact, its purpose was not to arouse suspicion
16 and alarm on the part of the U.S.S.R. In Japan
17 and in Germany certain endeavors were made with this
18 aim in view.

19 Kurusu, the Japanese Ambassador in Berlin,
20 wired to Tokyo to MATSUOKA on September 26, 1940
21 (on the eve of the conclusion of the pact) that
22 Germany intended to instruct her newspapers to em-
23 phasize that the pact did not mean a war against
24 the U.S.S.R. But in the same cable Kurusu informed
25 the Japanese Government of the fact that Germany con-

1 centrated her troops in the East with the purpose of
2 checking the U.S.S.R.

3 At the same time in Japan, Prime-Minister
4 KONOYE, Foreign Minister MATSUOKA and other persons
5 also said in their official speeches that the pact
6 was to lead to "the adjustment of the Japano-Russian
7 relations."

8 The Hitlerite Germany was interested that
9 one more ally-Japan, which was akin to her by spirit
10 and by method of actions should join her company.

11 Therefore, Germany, taking into consider-
12 ation the fact that the question of the Soviet-Jap-
13 anese relations had a special actuality for Japan,
14 did not stop before beguiling Japan by promises to
15 bring pressure on the Soviet Union to adjust the
16 relations between the U.S.S.R. and Japan in the way
17 Japan wished them to be.

18 We shall submit to the Tribunal evidence
19 which will prove beyond any doubt that the actual
20 meaning of the tri-partite pact in the aspect of the
21 Soviet-Japanese relations was understood by the
22 leaders of the Japanese Aggression in the following
23 way:

24 1. Should the war between Germany and the Soviet
25 Union break out, the pact would furnish an oppor-

1 centrated her troops in the East with the purpose of
2 checking the U.S.S.R.

3 At the same time in Japan, Prime-Minister
4 KONOYE, Foreign Minister MATSUOKA and other persons
5 also said in their official speeches that the pact
6 was to lead to "the adjustment of the Japano-Russian
7 relations."

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9 one more ally-Japan, which was akin to her by spirit
10 and by method of actions should join her company.

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12 ation the fact that the question of the Soviet-Jap-
13 anese relations had a special actuality for Japan,
14 did not stop before beguiling Japan by promises to
15 bring pressure on the Soviet Union to adjust the
16 relations between the U.S.S.R. and Japan in the way
17 Japan wished them to be.

18 We shall submit to the Tribunal evidence
19 which will prove beyond any doubt that the actual
20 meaning of the tri-partite pact in the aspect of the
21 Soviet-Japanese relations was understood by the
22 leaders of the Japanese Aggression in the following
23 way:

24 1. Should the war between Germany and the Soviet
25 Union break out, the pact would furnish an oppor-

1 tunity for Japan herself to seize the Soviet terri-
2 torries that provoked the Japanese appetite for a
3 long time;

4 2. In case there was no war between Germany and the
5 Soviet Union, they would have to try and threaten
6 the Soviet Union with the German mailed fist, since
7 their own Japanese fist had proved to be not in the
8 least terrifying to the Soviet Union.

9 These calculations did not seem to be in
10 any way erroneous to the Japanese imperialists, and
11 their only mistake was that the German military ma-
12 chine also broke to bits at the impact with the
13 military power of the Soviet Union.

14 MR. GOLUNSKY: Mr. President, I think
15 this is a convenient time to break.

16 THE PRESIDENT: We will recess now for
17 fifteen minutes.

18 (Whereupon, at 1045, a recess was
19 taken until 1100, after which the proceedings
20 were resumed as follows:)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Golunsky.

4 MR. GOLUNSKY: (Reading:)

5 As it is known, on April 13 MATSUOKA signed on
6 behalf of Japan the neutrality pact with the U.S.S.R.

7 The evidence which we shall submit to the Tri-
8 bunal will show that concluding this pact the Japanese
9 Government did not intend to follow it and immediately
10 violated it when Germany attacked the Soviet Union.
11 We shall also submit to the Tribunal evidence which
12 will prove that Japan did not attack the U.S.S.R. at
13 that time only because the situation in the summer
14 1941 did not seem to the leaders of the Japanese ag-
15 gression to be quite suitable.

16 The Japanese imperialism fell a victim to its
17 own gross greediness. The leaders of the Japanese ag-
18 gression, TOJO, MATSUOKA, HIRANUMA, UMEZU and others,
19 who determined the Japanese policy at that critical
20 period, found themselves in the position which is well
21 defined in the proverb, "He that hunts two hares will
22 catch neither".

23 We shall present the evidence hereafter that
24 signing the Neutrality Pact with the Soviet Union on
25 April 13, 1941, MATSUOKA was well aware of Germany's

1 preparations for an attack on the Soviet Union and that
2 simultaneously with the negotiations on the conclusion
3 of the Neutrality Pact with the U.S.S.R., he raised
4 the question before Ribbentrop of the prolongation of
5 the Anti-Comintern pact for another five years, the
6 term of the said pact expiring on November 26, 1941.
7 The prolongation is known to have been effected, when
8 the Soviet-German war was in full swing, and the exis-
9 tence of the Neutrality Pact with the U.S.S.R. formed
10 no obstacles by any means.

11 The evidence which we shall submit to the
12 Tribunal will show that signing the Neutrality Pact
13 with the Soviet Union and being aware of Germany's
14 attack on the Soviet Union in the nearest future,
15 MATSUOKA hoped he would be able to deceive the Soviet
16 Government and reckoned that as soon as the war with
17 Germany broke out, the Soviet Union relying on the
18 Pact, would transfer all her forces from the Far East
19 to the Western front and then the whole of the East-
20 ern Siberia together with Maritime Province would
21 easily fall into the hands of Japan.

22 But the attempt failed. Though going through
23 extreme hardships on the western front during the
24 first months of the war against Germany, the Soviet
25 Union did not weaken her defense in the Far East, not-

1 notwithstanding the fact that in July-August 1941 the
2 Japanese Government repeatedly assured the U.S.S.R.
3 of her firm desire to observe the Neutrality Pact.
4 Now we have at our disposal documentary evidence
5 of the fact that the Japanese Government, giving such
6 assurances, strove to appease the vigilance of the
7 Soviet Government and to make it withdraw its troops
8 from the Far East, and were at the same time fever-
9 ishly preparing for a military attack against the U.S.
10 S.R.

11 The Tribunal already knows that on July 2, 1941
12 at the conference of the main military and political
13 leaders of Japan in the presence and under the chair-
14 manship of the Emperor the decision was taken to make
15 everything to settle the Chinese Incident, to speed
16 up the advance to the south and, taking into considera-
17 tion the circumstances, to settle the Northern problem,
18 and they intended to remove all obstacles for the achieve-
19 ment of these aims.

20 We shall submit to the Tribunal evidence which
21 will prove that the following decision was also made
22 at the conference:

23 1. Japan would not enter into the war with the U.S.S.R.
24 only "for the time being" and would use arms "if the
25 German-Soviet war goes on in a way advantageous for

1 Japan."

2 2. Till that time Japan would "secretly carry out
3 military preparations against the U.S.S.R." under the
4 cover of diplomatic negotiations.

5 Following this decision the Japanese General
6 Staff and the Kwantung Army Headquarters worked out
7 a special plan of secret mobilization under the ciph-
8 ered title of "Kan-Toku-En" which meant -- "special
9 maneuvers of the Kwantung Army". According to this
10 plan the strength of the Kwantung Army was to be
11 doubled during two months increasing from 300,000 men
12 to 600,000 men. This plan was carried out in a great
13 hurry. The slogan: "Not to miss the bus" was popu-
14 lar among the Japanese military at that time.

15 The Germans promised to rout the Soviet Union
16 no later than in two months, and the Japanese leaders
17 thought in the following way: What is the use of
18 rushing headlong and suffering losses in the fight
19 against the Red Army; besides, there is no oil in the
20 Eastern Siberia which we need. We shall meanwhile
21 capture everything we need in the South, and by the
22 Autumn, when the Germans defeat the Red Army, and dis-
23 organization would reign in the Soviet Union, we shall
24 easily take everything we want. And meanwhile we
25 shall carry on diplomatic negotiations, shall swear

1 to be true to the neutrality pact in order to decieve
2 the Soviet Union and to hide from her military prepara-
3 tions.

4 That was the reason of the Japanese Govern-
5 ment concluding the Neutrality Pact with the Soviet
6 Union, and that was the way in which they were going
7 to carry this into effect.

8 The Japanese Government was afraid only that
9 the war between the Soviet Union and Germany would
10 end in the victory of Germany earlier than Japan
11 would be able to concentrate forces necessary for
12 seizure of the Eastern Siberia. This was directly
13 confirmed by the cable sent from Tokyo to Berlin for
14 the information of the Japanese Ambassador. We shall
15 submit this cable to the Tribunal. The cable says
16 that the Russo-German war has given to Japan an ex-
17 cellent opportunity to settle the Northern question
18 and that Japan is proceeding with her preparations to
19 take advantage of this occasion. The cable also ex-
20 presses apprehension that in case the Russo-German war
21 proceeds too swiftly Japan will not have time to
22 take effective joint action. The Japanese Government
23 was afraid "to miss the bus".

24 But in this case also the hopes of the Japanese
25 politicians did not come true. Their aggressive ap-

1 petite was far more than their actual power.

2 The time went on. Two, three months passed
3 but the rout of the Red Army and disorganization of
4 the Soviet State did not come. OSHIMA came to Rib-
5 benthrop to make a complaint on this. Ribbentrop called
6 Keitel and the latter ardently was trying to convince
7 OSHIMA that everything was all right, that a certain
8 delay in the calendar plan of the German-Soviet war
9 was due to simple technical reasons, which would be
10 easily overcome.

11 The Japanese leaders again believed the Ger-
12 man explanations and decided that it was advisable to
13 wait a bit more and not to attack the Soviet Union.

14 We shall submit evidence that in August 1941
15 the attack against the Soviet Union was already post-
16 poned until summer 1942 and it was planned to include
17 all Eastern Siberia into the area of the so-called
18 "Greater East Asia."

19 The borders of this "Greater East Asia" which,
20 according to the tri-partite pact was given to Japan,
21 were considered by leaders of the Japanese aggression
22 as something very flexible.

23 At the second conference of the Privy Council
24 on October 12, 1942 at which the question of creating
25 the Ministry of the East Asia Affairs was discussed,

1 TOJO was asked what were the borders of the Greater
2 East Asia sphere.

3 Answering this question TOJO named the terri-
4 tories which by that time had already been seized by
5 Japan and added that the regions occupied in the
6 course of the war would be included in this sphere
7 and it would be extended together with the extension
8 of occupied areas.

9 In other words, all that was possible to swal-
10 low was to be included into the Greater East Asia.
11 We shall submit to the Tribunal the documentary evi-
12 dence of the fact that the Japanese planned to swallow
13 all the Soviet territories which would not be swallowed
14 by Germany. Thus they planned to divide the trans-
15 Siberian trunk line in the following way: Everything
16 west of Omsk-to Germany, everything east of Omsk-to
17 Japan.

18 In 1941-1942 not only operation plans of an
19 attack against the Soviet Union, but also the plans
20 of military administration on those territories,
21 which they planned to seize, were being drawn up in
22 Tokyo. We shall submit these plans to the Tribunal.

23 They will show how the Japanese racial theory
24 was supposed to be carried into effect, how the mass
25 transmigration of the Japanese into the occupied

1 territory was being planned, and how special measures
2 were worked out to prevent the Slavs "driven from the
3 West" from concentrating in Siberia. All these plans
4 and calculations were based on the strong belief in
5 the final victory of Germany.

6 There are very many intelligent people who
7 are astonished and not without reason, at Japan daring
8 to attack both the U.S.A. and Great Britain having
9 the unfinished war with China on her hands, and pre-
10 paring for an attack on the Soviet Union. This puz-
11 zling problem cannot be solved if we lose sight of
12 this implicit faith of Japanese rulers in general, and
13 military leaders in particular in German power and
14 inevitable German victory. They hoped that Moscow
15 and Leningrad would fall any day, that the collapse
16 of the Soviet Union long ago promised by the Germans
17 would not be long in coming.
18

19 On December 8 they repeated in Pearl Harbor,
20 as I have already mentioned, what their predecessors
21 had done in Port Arthur over 35 years ago. Several
22 days after the Japanese attack on Pearl Harbor, the
23 Red Army began its counter-offensive near Moscow and
24 Hitlerite bands rolled back to the West. This was
25 the first big military defeat of Germany, but even
this did not put the Japanese would-be strategists

1 wise. They continued to believe in the power of the
2 Hitlerite Germany and in "invincibility" of the German
3 Army.

4 Faith in the ultimate victory of Germany and
5 in the defeat of the Red Army was a condition sine
6 qua non which figured in all calculations of Japanese
7 politicians when they elaborated their aggressive
8 plans directed not only against the Soviet Union but
9 also against the U.S.A. and Great Britain.

10 But their hopes failed!

11 At the beginning of the war, to be sure, the
12 aggressor, due to the surprise attack usually attains
13 some temporary success over his peaceful opponent;
14 he is ready to fight while his victims are not; he
15 chooses the time and place of the blow.

16 But comparatively soon the influence of the
17 surprise factor decreases and the permanent war fac-
18 tors enter into action. It was so in the war of Ger-
19 many against the Soviet Union and in the war of Japan
20 against the U.S.A. and Great Britain.

21 The time went on but the victory of Germany
22 in Europe and of Japan on the Pacific Ocean did not
23 come. On the contrary, the Japanese army forces were
24 more and more entangled in the war, and the Red Army
25 firmly held the Soviet frontiers as before and that

1 convenient occasion for an attack against the U.S.S.R.,
2 which was expected all the time by the Japanese stra-
3 tegists, did not come.

4 Does it mean that Japan, although not volun-
5 tarily, still kept within the limits of the neutrality
6 pact with the Soviet Union?

7 No, it does not mean that. She purposely and
8 systematically was violating this pact and was ren-
9 dering considerable help to Germany; notwithstanding
10 the growing difficulties on the other fronts, Japan
11 more and more increased her armed forces on the Soviet
12 frontiers. In 1942, 1,100,000 troops were concentra-
13 ted in Manchuria, i.e., about 35% of the Japanese
14 army on the whole, including the best tank and air
15 units. What was it done for? Were there any reasons
16 for Japan to be afraid of an attack of the Soviet
17 troops?

18 We could have answered this question in the
19 negative not needing any evidence to do this, but we
20 have direct evidence that no such apprehension troubled
21 the Japanese leaders.

22 The prosecution will submit to the Tribunal
23 operation order to the Japanese Navy of November 1,
24 1941, an order in which operation instructions on an
25 immediate attack against the U.S.A. and Great Britain

were given. This order, signed by Admiral Yamamoto Issoky, the Commanding Admiral of the Joint Japanese Navy stated among other things that, although the strength of the Soviet armed forces on the borders between the Soviet Union and Manchuria was very great it was believed that the Soviet Union would not commence hostilities if Japan herself would not attack the Soviet Union.

It follows then that the Japanese Government did know that the Soviet Union had no intentions to make an attack on Japan; the Japanese Government kept an army million men strong on the Soviet borders not in self-defense, but in order to render help to Germany, and secondly -- not to miss her chance if, in spite of all, Germany managed to gain victory over the Soviet Union.

Germany acknowledged and appreciated that help rendered to her by Japan, Ribbentrop made it clear in his telegram to the German Ambassador in Tokyo dated May 15, 1942, in which he wrote, that the moment was very convenient for Japan to seize the Soviet Far Eastern area. But it should be done only if Japan was sure of her success and if she had not enough forces to conduct successfully such operations, it was better for her to maintain neutral relations with

1 Soviet Russia. Ribbentrop emphasized that that also
2 relieved the "toil" of Germany because Russia in any
3 case had to keep troops in the Eastern Siberia to pre-
4 vent the conflict with Japan.

5 Had Japan honestly observed her Neutrality
6 Pact with the Soviet Union, had she not made the Soviet
7 Union keep strong armed forces on the border of Man-
8 churia, as the Japanese High Command itself had ad-
9 mitted, -- the U.S.S.R. would be also able from the
10 very outset to utilize those forces in the war against
11 Germany. That would have changed not only the whole
12 course of the Russian-German War, but in all probabil-
13 ity, the whole course of World War II would have been
14 entirely different. As to the Russian-German war,
15 it would without the slightest doubt have ended much
16 sooner and with lesser sacrifices on the part of the
17 Soviet Union.

18 Hundreds of Soviet cities, that now have to
19 be rebuilt from the ruins, would have remained intact.
20 Hundreds of thousands, perhaps millions of the Soviet
21 people, who had been killed in the war against Hitler-
22 ite invaders, would have been living. That is why
23 Ribbentrop declared that "Japan makes our toil lighter,"
24 sacrilegiously applying the word "toil" to the mass
25 extermination of Soviet citizens and to the destruction

of Soviet cities and villages.

1 It is true on the other hand that had the
2 million army with all its fighting equipment which the
3 Japanese Government and High Command had kept during
4 the whole war in Manchuria, been thrown into battle in
5 the Philippines, the New Guinea and at other fronts,--
6 the task of the Allied armies at these fronts certainly
7 would have been much harder. But that could not in
8 any way mitigate the guilt of the accused. We shall
9 also submit to the Tribunal evidence proving that
10 when in Japan they had become conscious of the change
11 in the course of the Russian-German war, unfavorable
12 for Germany, the Japanese politicians planned to mediate
13 between the Soviet Union and Germany with the aim of
14 making the Soviet Union conclude separate peace treaty
15 with Germany, on terms favorable to Germany, by threat-
16 ening to attack the Soviet Union. These plans, as
17 many other plans of the Japanese Government, came to
18 nothing, but they present certain interest for they
19 are instances of Japan's collaboration with Germany.

21 Japan violated the Neutrality Pact with the
22 Soviet Union not only by keeping her picked troops
23 on the Soviet borders all the time; but we shall sub-
24 mit to the Tribunal numerous evidences which will
25 prove that in the course of the war Japan transferred

1 to Germany military information on the Soviet Union
2 which deserved expressions of gratitude from Ribben-
3 trop. It is very important to point out that this
4 information was transferred to Germany not by separate
5 individuals (the Japanese Government might not be re-
6 sponsible for that) but by the Japanese governmental
7 officers. The Japanese diplomatic representatives in
8 the U.S.S.R. gathered this information and the Japan-
9 ese General Staff and the Japanese Embassy in Berlin
10 transferred it to Germany.

11 We shall present evidence proving that Japan
12 sank Soviet ships, the ships belonging to the country
13 neutral, as regards Japan, and did all she could to
14 hamper the Soviet shipping in the Far East. By doing
15 so Japan also considerably helped Germany, for she
16 hampered the transport of the materials the Soviet
17 Union needed.

18 In view of the aforesaid assistance which
19 Japan systematically had been giving to Germany, and
20 also in view of the fact that Japan had started the
21 war against the Allies of the U.S.S.R., i.e., against
22 the United States of America and Great Britain -- the
23 Neutrality Pact, signed on April 13, 1941, became
24 meaningless.
25

That is why the Soviet Union had to denounce

1 the Pact, as soon as the time of denunciation, provi-
2 ded for in Article 3 of this pact, came.

3 Japan fought on the side of the axis powers,
4 tooth and nail. The Hitlerite bandits in Germany, the
5 fascist murderers in Italy and the Japanese imperial-
6 ists who are now in the dock, were worthy brothers in
7 spirit.

8 We shall submit to the Tribunal evidence
9 which proves that up to 1945 the leaders of the Japan-
10 ese gang of aggressors were making assurances to their
11 German accomplices that they were true and loyal to
12 their criminal conspiracy and were doing all they
13 could to ensure success of this conspiracy.

14 Even in January, 1945, when the German troops
15 were already thrown out of the Soviet territory, when
16 the Red Army was on the Oder and the Allied Anglo-
17 American troops -- on the Rhine, the accused SHIGE-
18 MITSU making a speech at the 86th session of the Diet
19 said that the contact between the Empire and her allies
20 was becoming still stronger and that Japan together
21 with her allies will carry on this war to the end.

22 Germany was defeated and capitulated uncon-
23 ditionally on May 9, 1945. Even to the Japanese poli-
24 ticians who many times demonstrated their political
25 shortsightedness and to the ill-starred Japanese

1 strategists who not for a single time made true prog-
2 nostication concerning the course of operations it
3 became clear that it was all over with the "New Order"
4 in Europe once and for all. But even after this they
5 refused to surrender arms, to admit that their aggres-
6 sive plans had failed and to give up those plans once
7 and for all. They believed that having a fresh select-
8 ed army in Manchuria and considerable forces on the
9 Japanese Islands they could bargain and not only save
10 their skins but preserve means for planning and pre-
11 paring a new war of aggression and again to wait for
12 an opportunity to attack the peaceful country whose
13 vigilance became slack and which would fall an easy
14 victim to the aggressor. They hoped that the demo-
15 cratic countries tired after the protracted war would
16 swallow this bait.

17 That is why they rejected the Potsdam decla-
18 ration which called Japan to surrender unconditionally.
19 They appealed to the Soviet Government to mediate.
20 The mediation meant negotiations and negotiations with
21 such a trump in the hand as a many million army un-
22 touched by fight could give them opportunity of gain-
23 ing much by bargaining and of saving much.

24 But the democratic countries being taught by
25 bitter experience stoutly defended their decision to

1 make no bargains with the aggressor. They could agree
2 to nothing but unconditional surrender, which the Ja-
3 panese Government refused. This refusal meant the pro-
4 longation of the war for an indefinite time.

5 That was why the Soviet Government rejected
6 the request of the Japanese Government for intermedia-
7 tion, as having no ground, and declared a war against
8 Japan, according to the request of the allies the U.S.A.
9 and Great Britain, being true to her duty as an ally
10 and wishing to accelerate by all means the end of the
11 war, during which the blood of people was shed for
12 six years.

13 The Soviet Union doing this also pursued the
14 following aim: To give the opportunity to the Japan-
15 ese people of avoiding those dangers and devastation,
16 which were suffered by Germany after she had refused
17 the unconditional capitulation.

18 It turned out that the devastating blow of
19 the Red Army against the selected Japanese troops
20 concentrated in Manchuria, was necessary for the Ja-
21 panese imperialist to realize at last that they were
22 defeated in the war. They realized that they were de-
23 feated and it was difficult not to realize this in the
24 situation in which Japan routed and surrounded from
25 all sides found herself, but they did not admit till

1 now, and do not want to admit, that they had committed
2 a crime. They all as one declared here in the court
3 that they were guilty of no crime. This stresses once
4 more the fact that if they would have been left free,
5 if necessary means would have been in their hands, they
6 would have acted in the same way as they had acted be-
7 fore.

8 Colonel Rosenblit, Chief Assistant of the
9 Judge-Advocate General of the U.S.S.R. Armed Forces is
10 first to have the floor.

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G¹
r²
e³
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b⁶
incorporated in the motion made at this time to strike
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specific objections. I would appreciate the opportunity
B¹⁰
a¹¹
r¹²
t¹³
o¹⁴
r¹⁵
t¹⁶
u¹⁷
r¹⁸
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s²⁰
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f²³
c²⁴
e²⁵

MR. LOGAN: If the Tribunal please, yesterday general objections to this opening statement were made by Mr. Cunningham, and those objections were incorporated in the motion made at this time to strike out the following paragraphs of this opening statement; and, in addition, we set forth the following specific objections. I would appreciate the opportunity of setting forth these objections without interruption by the prosecution.

The first fifteen pages are outside the scope of the Indictment, are argumentative, immaterial and, in the main, constitute a summation.

In its introductory statement on pages 1 and 2, prosecution comments on the effect of the Japanese Army in Manchuria and Korea in 1941-42 and the historical background prior to 1928. All of this constitutes comment which is not the proper subject of an opening statement. It goes beyond the scope of the Indictment by commenting on the commencement of the Japanese-Russian War in 1904. It sets forth conclusions with respect of the Japanese-Russian War in 1904; and, if a portion is not stricken on the ground that it is conclusion, immaterial and not within the issues, the defense requests that it be permitted to prove in its case the facts concerning this

1 MR. LOGAN: If the Tribunal please, yester-
2 day general objections to this opening statement were
3 made by Mr. Cunningham, and those objections were
4 incorporated in the motion made at this time to strike
5 out the following paragraphs of this opening state-
6 ment; and, in addition, we set forth the following
7 specific objections. I would appreciate the opportun-
8 ity of setting forth these objections without inter-
9 ruption by the prosecution.

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11 scope of the Indictment, are argumentative, immater-
12 ial and, in the main, constitute a summation.

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14 and 2, prosecution comments on the effect of the
15 Japanese Army in Manchuria and Korea in 1941-42 and
16 the historical background prior to 1928. All of this
17 constitutes comment which is not the proper subject
18 of an opening statement. It goes beyond the scope of
19 the Indictment by commenting on the commencement of
20 the Japanese-Russian War in 1904. It sets forth
21 conclusions with respect of the Japanese-Russian War
22 in 1904; and, if a portion is not stricken on the
23 ground that it is conclusion, immaterial and not with-
24 in the issues, the defense requests that it be per-
25 mitted to prove in its case the facts concerning this

1 War.

2 In the last paragraph on page 3 the prosecu-
3 tion endeavors to argue on the similarity of the
4 commencement of the Japanese-Russian War in 1904 and
5 the attack on Pearl Harbor which, of course, is pure-
6 ly argumentative, and it does not set forth any facts
7 to be proven in regard thereto.

8 On page 4 the prosecution deals entirely in
9 summation rather than in presentation of any facts to
10 be proven in that it comments on the effect of the
11 Russo-Japanese War of 1904 and the aims of the Japan-
12 ese in World War No. I.

13 On the bottom of page 4 and on page 5 the
14 prosecution comments on the Far Eastern Government in
15 1920, which is beyond the scope of the Indictment,
16 immaterial to any issues in this case, and argumenta-
17 tive.

18 The first three paragraphs on page 6 deal
19 with argumentation and with matter immaterial in that
20 they refer to certain events which occurred in 1919.

21 Pages 7 and 8 constitute a summation which
22 is entirely speculative, argumentative, and immaterial
23 to any issue in this case as it refers to what would
24 have happened if certain demands made by the Japanese
25 about the year 1922 had been accepted by the Far

1 Eastern Republic.

2 All the paragraphs on page 9 are argumenta-
3 tive and speculative as to the start of the war, and
4 the prosecution endeavors to fix a date for the com-
5 mencement of World War II which is contrary to his-
6 torical fact.

7 Paragraph in the bottom of page 10 and the
8 top of page 11 is argumentative and does not state
9 any fact which the prosecution intends to prove, the
10 subject matter being "Total War".

11 The paragraph on page 11, wherein the prose-
12 cution deals with the working class movement and the
13 toiling masses, should be stricken as a conclusion
14 and an argument, and does not relate to any crime
15 charged in the Indictment even if it were true.

16 The first two paragraphs on the top of page
17 12, and the last paragraph on page 12, should be
18 stricken as they are merely conclusions and argument-
19 ative.

20 Prosecution in the last paragraph on page
21 12 indulges in argument, summation and inflammatory
22 statements as defined by this Court in commenting upon
23 the opening statement by Colonel Morrow.

24 From the second paragraph on page 13 through
25 page 14 there is contained a summation, conclusion,

1 and argument, not subject to proof, dealing with the
2 feelings of the Russian people and the suggestion of
3 the hostile attitude toward the Soviet Union.

4 First paragraph on page 19 contains a con-
5 clusion and comment as to the effect of the alleged
6 coup d'etat of ARAKI and should be stricken.

7 Page 21, from the second paragraph there on
8 to the top of page 22 should be stricken on the
9 ground that the statements contained therein are
10 entirely conclusions, not subject to proof, and
11 properly part of the summation dealing with the at-
12 titude of the Japanese Government.

13 Page 25: the second paragraph should be
14 stricken on the ground that it is a conclusion, does
15 not set forth facts intended to be proven, the sub-
16 ject matter being that the Soviet Government was
17 forced to agree to sell the Chinese Eastern Railway.

18 From the first paragraph on page 26 through
19 the first paragraph on 28 reference is made to a
20 conflict with the Mongolian People's Republic then a
21 part of China in 1922, and shows no aggression
22 against Russia; and, therefore, it is not proper
23 under this phase of the case.

24 Second and third paragraphs on page 28 con-
25 tain unnecessary and inflammatory comment with re-

1 be stricken on the ground that the matter stated
2 therein with respect to the reason why the Japanese
3 Government concluded a neutrality pact with the Sov-
4 iet Union is pure speculation and does not set forth
5 the facts to be proven in regard thereto.

6 The third paragraph on page 55 should be
7 stricken. It is purely argumentative with respect
8 to the commencement of the war by Japan against the
9 United States.

10 The last paragraph on page 55 should be
11 stricken as it is a summation, something which is
12 not subject to proof as heretofore shown with re-
13 spect to Port Arthur.

14 The second, third, and fourth paragraphs on
15 page 57 should be stricken as they constitute a sum-
16 mation with respect to the purpose and effect of the
17 war with Germany and the stationing of troops in
18 Manchuria, purely argumentative and speculative, and
19 no facts are set forth which are subject to proof.
20

21 The same is true with respect to the second
22 paragraph on page 58.

23 First and second paragraphs on page 59
24 should be stricken as the subject matter is a comment
25 and argument with respect to the armed forces on the
Mongolian border.

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2 therein with respect to the reason why the Japanese
3 Government concluded a neutrality pact with the Sov-
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17 war with Germany and the stationing of troops in
18 Manchuria, purely argumentative and speculative, and
19 no facts are set forth which are subject to proof.
20

21 The same is true with respect to the second
22 paragraph on page 58.

23 First and second paragraphs on page 59
24 should be stricken as the subject matter is a comment
25 and argument with respect to the armed forces on the
Mongolian border.

1 The last paragraph on page 61 is a conclusion
2 with respect to the Neutrality Pact. The last sen-
3 tence on page 61 through the first paragraph on page
4 52 should be stricken as it is not subject to proof.

5 The last half of the last paragraph on page
6 62, which is continued on page 63, should be stricken
7 as argumentative with respect to the effect of Ger-
8 many's surrender.

9 The entire page 64 should be stricken as it
10 refers to Russia's justification for rejecting media-
11 tiation, is argumentative, and its attack on Japan in
12 1945 in violation of the Newtrality Pact which was
13 then in force.

14 THE PRESIDENT: Mr. McManus.

15 MR. McMANUS: I believe that most of the
16 requests to strike have been stated by my colleague,
17 Mr. Logan. However, I should like to call to the
18 attention of the Court an additional reason for re-
19 questing to strike the first full paragraph on page
20 19. I would like to request that this paragraph be
21 stricken on the grounds of ambiguity. It refers in
22 this paragraph to "terrorist organizations and politi-
23 cal assassinations." It is not specifically stated
24 what organizations and what incidents are referred to.
25 However, they definitely mention the name of the de-

1 defendant ARAKI. If the prosecution is referring to
2 the 5/15 or the 2/26 incident, I would like to call
3 to the attention of the Court that these incidents
4 have been definitely clarified, and the cases have
5 been tried in Japan. And I'd like to state that, as
6 a result of that trial, the defendant ARAKI was
7 cleared of those charges.

8 I would further like to request the Court
9 that, if the defendant ARAKI is not connected up with
10 any of these organizations or political assassina-
11 tions by the prosecutor, that I be permitted to com-
12 ment upon same at the end of the prosecution's case.
13 I would like to request, however, that the paragraph
14 be stricken on the grounds that it is ambiguous.

15 THE PRESIDENT: Mr. Chief Prosecutor.

16 MR. KEENAN: Mr. President, might I make a
17 suggestion, respectfully, to the Court? It is ob-
18 vious that if an attempt is made orally to answer
19 these manifold objections point by point, these pro-
20 ceedings will be delayed materially. Since the de-
21 fense has fully stated its points, both with refer-
22 ence to the part it desires stricken and the reasons
23 therefor, prosecution suggests that a brief be filed
24 with this Tribunal meeting the same point by point,
25 so that appropriate action can be taken by the

1 Tribunal, when the matters are more closely related,
2 in careful study, serving all of the purposes re-
3 quested in this motion to strike. Prosecution will
4 forego propaganda effects.

5 THE PRESIDENT: The Members of the Tribunal
6 have considered the question of delay in dealing with
7 these objections. They are glad, of course, that the
8 objections are now in the record. It may be that
9 some of the Members of the Tribunal will agree with
10 all the objections, that others will agree with none
11 of them, that some will agree with some objections
12 and not with others. The task of editing the opening
13 statement so as to make it conform to an opening state-
14 ment in the true sense, that is, to a statement of
15 evidence about to be introduced, is a tremendous one.
16 To complete it would involve a great waste of time.
17 However, we have a solution. We are all agreed on
18 this, and we hope both the defense and the prosecu-
19 tion will accept it also: It is the simple statement
20 that we will take into consideration only such parts
21 of the opening speech as are justified by the evidence
22 to follow. For that purpose, every Member of the Tri-
23 bunal will give the fullest consideration to every
24 objection taken. We ask the parties of the prosecu-
25 tion and the defense to consider what I have said.

1 We will adjourn now until half past one.

2 (Whereupon, at 1200, a recess was
3 taken.)

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AFTERNOON SESSION

The Tribunal met, pursuant to recess, at
1330.

MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Mr. Smith.

MR. SMITH: If your Honors please, I would
like to call attention to a few obvious errors in the
opening statement.

In the second paragraph of page 30 it de-
scribes Mr. HIROTA's being both Prime Minister and
Foreign Minister at the time the Anti-Comintern Pact
was negotiated. The records in the case show that
Mr. HIROTA was Prime Minister at the time and not Foreign
Minister. The Foreign Minister at that time was Mr.
ARITA.

On page 35, near the bottom of the page, it
refers to the Lake Hassan Incident which occurred on
July 29, 1938. It was a spontaneous border fight.

On page 37 it ties Mr. HIROTA in with that
Incident and describes him as being at that time Foreign
Minister. Mr. HIROTA had not been in the government
since May, 1938, and the Foreign Minister at that time
was Mr. UGAKI.

THE PRESIDENT: Minister Golunsky.

1 MR. GOLUNSKY: In accordance with it, we
2 will certainly gladly agree to make any corrections
3 in conformity with the personnel records filed with the
4 Tribunal.
5

6 THE PRESIDENT: Mr. Logan.
7

8 I suggest you might consider the observations
9 I made just before the adjournment.
10

11 MR. LOGAN: We have considered it, your Honor,
12 and we are not concerned so much with what has been
13 said in this opening statement but what will be attempted
14 to be proven by the prosecution under that opening
15 statement and also by the fact that there has been no
16 ruling to the objections which we advanced.
17

18 In the first place, it seems to us that the
19 trial would be somewhat slowed without some sort of a
20 ruling if the prosecution in this phase attempts to go
21 beyond the Indictment. While the Tribunal, I feel sure,
22 is aware of its duties under Section 4, Article 12-b,
23 that the Tribunal shall take strict measures to pre-
24 vent any action which would cause unreasonable delay
25 and rule out irrelevant issues and statements of any
kind whatsoever, we feel that this burden has been
shifted or would be shifted to the defense in that it
would be incumbent upon us to determine after all the

testimony in this phase has been introduced to decide
what parts of the opening statement were still in
full force and effect and whether or not the testi-
mony adduced applied to any of that, and it may very
well be that different Members of the Tribunal have
different views on that. It may very well be that
if the Tribunal would take upon itself the making of
a short and concise statement of what can be proven
by the prosecution in this phase, that might be help-
ful. I might say that we are particularly but not
exclusively concerned with the possibility of having
this phase of the case go back to 1904, which is way
beyond the scope of the Indictment. In lieu of that,
if the Court will undertake, after this phase is com-
pleted, of advising defense just what part of the
opening statement is material and still in the case,
that, too, would be a way out and it would be helpful.

THE PRESIDENT: Mr. Keenan.

MR. KEENAN: If the Court please, before the
recess the Court made a suggestion as to a manner of
treating the motion to strike or motions to strike from
the opening statement. The prosecution believing that
to be sound agrees therewith, and further, with refer-
ence to the apprehensions of defense counsel as to the
relevancy of evidence, we suggest that, of course, in

1 the main it will have to be determined at the time
2 the exact evidence is offered to the Court. "We do
3 expect, if the Court please, to offer some evidence
4 and we would hold it to be relevant even though it
5 were not within the period of the conspiracy if it
6 were sufficiently close thereto to give a proper back-
7 ground in interpreting the acts of the accused within
8 the period described in the Indictment itself. "We
9 would expect, respectfully, the Court to take judicial
10 notice of other matters of which judicial notice could
11 be taken that preceded the time of the Indictment if
12 it were relevant in the sense of aiding in the proper
13 interpretation of the acts of the accused complained
14 of in the Indictment.

15 Now, with reference to the suggestion of
16 the Court's in a sense delineating the time or mater-
17 iality of certain types of evidence in any manner
18 suggested, of course, the prosecution would have no
19 objection whatsoever to such procedure but would think
20 it might be of great value to the defense in properly
21 preparing its defense when that time comes. Already,
22 Mr. President, there have been some fundamental
23 motions offered by the defense which have been over-
24 ruled by this honorable Tribunal with the statement
25 that at a later period reasons therefor would be given.

1 It would be very helpful throughout any phase of the
2 trial if both prosecution and defense could learn in
3 any legitimate and proper manner, could obtain light
4 on what the Court itself at any time had concluded
5 were the limitations of any feature of the case, in-
6 cluding evidence to be presented or accepted; but
7 prosecution is unable to see how this Court at this
8 time, before any evidence is offered, could make any
9 blanket ruling as to the relevancy thereof in the
10 rough.

11 The prosecution, of course, has some notion
12 of what it considers to be relevant evidence and
13 will make every effort, as it has in the past, to
14 confine those things offered in evidence to matters
15 that are encompassed within proper rules of evidence
16 as we understand them in our own courts, which is the
17 only criterion by which we can judge the same.
18

19 THE PRESIDENT: It goes without saying that
20 we will be governed by the evidence and by the evidence
21 alone. Suppose we had a jury in this case and that
22 counsel opened more than he eventually proved. We
23 would point out to the jury, counsel alleged certain
24 things but he has not proved them; so at the end of
25 the evidence for this section of the prosecution we
will compare the opening with the evidence adduced and

1 we will disregard everything but the evidence.

2 The purpose of the opening is to help us.
3 It may fail to do so but there is really no need for
4 us to consider in detail every statement in excess
5 of the evidence made by the prosecutor in the opening.
6 All we need do, I think, is tell the defense that we
7 will discard everything which is not justified by the
8 evidence to be subsequently adduced. I do not see
9 how we can do any more than that. We would take no
10 greater precautions if we had a jury here. The
11 defense must trust us to distinguish between evidence
12 and mere statements by the prosecution unsupported by
13 evidence. Beyond stating that we will be careful to
14 discriminate in that way, I think I should add nothing.

15 We will proceed with the case, Mr. Golunsky.

16 COLONEL ROSENBLIT: Mr. President, Members
17 of the International Tribunal, my task is to present
18 to the Court evidence that the Japanese ruling circles
19 harbored large-scale aggressive plans against the
20 U.S.S.R. during the whole period covered by the In-
21 dictment.

22 THE PRESIDENT: These lights are on too long.
23 They are causing discomfort to some Members of the
24 Court.
25

COLONEL ROSENBLIT: Before I pass to the

1 tendering of evidence relating to my case I respectfully call the attention of the Tribunal to the--

2 THE PRESIDENT: Captain Van Meter, did you
3 hear what I said?

4 COLONEL ROSENBLIT: (Continuing) outline map
5 of the Soviet Far East and the northern part of Man-
6 churia. This map will be helpful to the Tribunal in
7 the course of my presentation to follow various
8 geographic names of those areas; and this is the sole
9 aim of the map.

10 THE PRESIDENT: Major Furness.

11 MR. FURNESS: We object to the presentation
12 of this map in evidence on the grounds that it is a
13 document and the writing on it is not translated into
14 either English or Japanese. The copies which have been
15 furnished of it are so reduced in size, as a matter
16 of fact, that we could not read it in whatever language
17 it is presented.

18 MR. GOLUNSKY: If the Tribunal please, all
19 the geographical points which are going to be mentioned
20 by the prosecution are written on this map in big
21 characters and translated into English and into Japan-
22 ese. All the towns and townships which are not trans-
23 lated into English or Japanese, we do not propose to
24 mention them and they have no importance whatsoever

to our case.

1 THE PRESIDENT: I notice that Vladivostok
2 and Harbin are in English.

3 The document is admitted for what it is
4 worth. It is not very satisfactory but we will have
5 to make the best of it.

6 CLERK OF THE COURT: Prosecution's document
7 No. 2366 will receive exhibit No. 666.

8 ("Whereupon, the document above
9 referred to was marked prosecution's exhibit
10 No. 666 and was received in evidence.)

11 COLONEL ROSENBLIT: If the Tribunal please,
12 in view of better visuality an enlarged map will be
13 placed on the right screen in the courtroom.

14 Now I shall present evidence that the aggressive
15 designs of the Japanese ruling circles against
16 the U.S.S.R. were deeply rooted before and developed
17 during the whole period covered by the Indictment.

18 I submit to the Tribunal as evidence a
19 cutting from the newspaper KOKUMIN Shimbun of August
20 14, 1941, No. 17867, containing the record of General
21 ARAKI's talk with ISHIWATA, Secretary-General of the
22 Imperial Rule Assistance Association. (Prosecution
23 document No. 2367). This document will prove that in
24 1941 ARAKI regretted that during their intervention in

the East of the Soviet Union in 1922, the Japanese
1 failed to accomplish their plans in Siberia. It will
2 also prove that in ARAKI's opinion in 1941 the situa-
3 tion was again favorable for the Japanese to carry
4 out their inspirations which they failed to fulfill
5 in 1922.

6 THE PRESIDENT: Captain Brooks.

7 MR. BROOKS: We believe it would satisfy
8 the defense quite a bit if it was cleared up as to
9 the map offered as document No. 2366 and if that is
10 connected with the map on the wall and has been ad-
11 mitted into evidence and, if so, what number has been
12 given to it.

13 THE PRESIDENT: The wall map should be
14 tendered too. Anything we look at and use as evidence
15 should be tendered -- any document.

16 MR. GOLUNSKY: If the Tribunal please, our
17 wall map is the same map which has been distributed
18 but with one exception, that the small towns and town-
19 ships are not mentioned on this big map.

20 THE PRESIDENT: Mr. McManus.

21 MR. McMANUS: If your Honor please, I would
22 like to object to the document offered now, 2367; first,
23 on the grounds that it does not appear to be, from the
24 certificate, that it is a captured enemy document or

1 that it is from the files of the Japanese Government.
2 I would like to further object on the grounds that it
3 deals with a matter which happened quite some time
4 before the date stated in the Indictment as when the
5 conspiracy began.

6 They are the grounds of my objections but
7 I should also like to point out to the Court that
8 there is nothing on this document to show that they
9 are excerpts also, which they are.

10 MR. GOLUNSKY: If the Tribunal please,
11 as to the first point of the learned counsel, the
12 certificate attached to our document shows that it is
13 the number of KOKUMIN Shimbun of August 14, 1941, con-
14 stituting a part of a volume including all the numbers
15 of the state publications for July and August, 1941.
16 The certificate also shows that it has been obtained
17 from the Imperial Library.

18 As to the second point, we ask the Tribunal--
19 call the attention of the Tribunal to the fact that
20 this statement was made by ARAKI in August, 1941, on
21 the occasion of the German war -- Germany's attack
22 against the Soviet Union -- and therefore we contend
23 it is within the scope of the Indictment.

24 THE PRESIDENT: Statements attributed to the
25 accused by the public newspapers of their country

1 may have some probative value, of course.

2 My colleagues who have read this say that
3 there is nothing in the statement to show what was
4 said by ARAKI and what was said by the other man.

5 MR. GOLUNSKY: If the Tribunal please,
6 everything which is translated into the excerpt are
7 the words which allegedly have been said by ARAKI.
8 This can be easily ascertained by the complete
9 Japanese text which is with the Clerk of the Court;
10 but if the Tribunal so directs, we will gladly trans-
11 late an additional part of the Japanese text so as to
12 make it evident on the face of the document that those
13 words were the words of ARAKI.
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MR. McMANUS: If your Honor please, I think
that it is up to the prosecution to prove who made
these statements, how it was taken down, who reported
it, and not up to the prosecution to testify and draw
their own conclusion that these statements were made
by ARAKI. The document speaks for itself.

THE PRESIDENT: We should know what ARAKI said.

MR. GOLUNSKY: If the Tribunal please, we
will gladly make a supplementary translation of the
part which shows that those words were said by ARAKI;
but since we have the complete finished text here,
we don't think we are testifying ourselves. We are
just telling what the document states on its face.

THE PRESIDENT: Do you claim that ARAKI said
all this?

COLONEL ROSENBLIT: Yes, Mr. President.

THE PRESIDENT: Well, subject to that being
established later, I think it might be admitted.

CLERK OF THE COURT: Prosecution's document
No. 2367, to wit, a copy of the files of the Japanese
newspaper, "Kokumin Shimbun," will be given exhibit
No. 667 for identification only.

(Whereupon, the above-mentioned docu-
ment was marked prosecution's exhibit No. 667
for identification only.)

1 MR. McMANUS: If your Honor please, I anticipated
2 such a situation as this on the motion in Chambers whereby I requested further translation from
3 these documents and these speeches. However, I
4 understand that they will be received conditionally.

5 THE PRESIDENT: Nothing that would elucidate
6 this point was refused to you in Chambers. The document
7 is admitted, as I said, conditionally.

8 MR. McMANUS: Your Honor, I don't want the
9 Court to get the wrong impression. I didn't mean to
10 state that it was refused to me in Chambers. I just
11 wanted to the attention of the Court that this had
12 been promised to me, and I want to ask whether this
13 testimony will be admitted conditionally until such
14 time as I get from the prosecution what they promised
15 me later because of translation difficulties.

16 THE PRESIDENT: We will be here a half an
17 hour until we get what you said translated, because
18 you ignored the red light.

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20 in Chambers I studied the Japanese text. At the time
21 when excerpts to be taken from this text were shown,
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24 Japanese court reporter read Dr. KIYOSÉ's
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1 MR. McMANUS: If your Honor please, I anticipated
2 such a situation as this on the motion in Chambers whereby I requested further translation from
3 these documents and these speeches. However, I
4 understand that they will be received conditionally.

5 THE PRESIDENT: Nothing that would elucidate
6 this point was refused to you in Chambers. The document
7 is admitted, as I said, conditionally.

8 MR. McMANUS: Your Honor, I don't want the
9 Court to get the wrong impression. I didn't mean to
10 state that it was refused to me in Chambers. I just
11 wanted to the attention of the Court that this had
12 been promised to me, and I want to ask whether this
13 testimony will be admitted conditionally until such
14 time as I get from the prosecution what they promised
15 me later because of translation difficulties.

16 THE PRESIDENT: We will be here a half an
17 hour until we get what you said translated, because
18 you ignored the red light.

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22 when excerpts to be taken from this text were shown,
23 in the Japanese text there were still --

24 (Whereupon, the monitor had the
25 Japanese court reporter read Dr. KIYOSÉ's

1 last statement.)

2 DR. KIYOSÉ: The front page was included.

3 THE PRESIDENT: Well, we do not want to
4 know what happened in Chambers. The defense got
5 all they asked for in Chambers. If they did not
6 get enough, it is their own fault. I said the docu-
7 ment was admitted conditionally. That is the end of
8 the discussion.

9 CLERK OF THE COURT: Prosecution's document
10 No. 2367, being an excerpt from the aforementioned
11 newspaper, will be given exhibit No. 667-A.

12 (Whereupon, the above-mentioned
13 document was marked prosecution's exhibit
14 No. 667-A and received in evidence.)

15 DR. KIYOSÉ: May I just be permitted to say
16 one simple word?

17 Together with the first page, the prosecu-
18 tion agreed to translate eight lines more. If the
19 prosecution had furnished English text of these
20 extra eight lines, this confusion would not have
21 arisen.

22 THE PRESIDENT: Well, read what you have.

23 COLONEL ROSENBLIT: I quote the first para-
24 graph on page 1:

25 "Looking back at the Siberian Expedition, I

1 feel that the plans were complete, but it seems there
2 had been considerable regret on account of the
3 failure to make the expected last stroke. There is
4 a proverb, 'History repeats itself', and I believe this
5 principle is still the same today.

6 "Next, we shall deal with the Siberian Expedition.
7 Unqualifiedly, we simply call it the Siberian Exped-
8 ition, but there were many very complicated circum-
9 stances lying in its background. Japan's present
10 ambition to dominate the Continent may fully be said
11 to have germinated in the Siberian Expedition. Un-
12 fortunately, however, I feel that, in the execution
13 of this expedition, there had been lacking in con-
14 temporary internal situations, the courage and the
15 determination to strive for the calculated ends by
16 deciding on a Cabinet resolution under a firm and
17 resolute policy. With a very complicated and congested
18 environment as its background, it had been very
19 cleverly planned. However, it is exceedingly regret-
20 ful that we had met with various obstacles which had
21 arisen at home and abroad and that we had been unable
22 to carry this plan to perfection."

23
24 In order to make quite clear what ARAKI meant
25 in the above quotation, I shall present to the Court
a very brief excerpt from a few documents which will

1 show what were the aspirations of the Japanese ruling
2 circles during the Siberian Expedition. I introduce
3 in evidence to the Tribunal the affidavit of Semyonov,
4 Grigori Mikhailovich, former leader of the Russian
5 Whiteguards in Manchuria, of April 11, 1946, prosecu-
6 tion document No. 2363.

7 THE PRESIDENT: Captain Brooks.

8 MR. BROOKS: On behalf of General KOISO, I
9 want to object at this time to this affidavit, espec-
10 ially as to pages 8 and 9, the question on page 8
11 in the center of the page is given:

12 "What role were the Russian whiteguard emi-
13 grants to play according to the Japanese military plans?"

14 I call attention to the answer commencing
15 with paragraph 6 on page 9.

16 I have several grounds of objections to
17 paragraphs 6, paragraph 7, and paragraph 8 as they
18 appear on page 9. First, that the answer as given in
19 those paragraphs is not responsive to the question
20 and is objectionable for that reason; and, second, that
21 in paragraph 6 of the affidavit evidence is not given,
22 but a conclusion or an opinion is given of the affiant
23 which invades the province of the Court; in paragraph
24 7 that the evidence offered is not the best evidence
25 if the allegations were true, and that they are merely

1 conclusions with no dates mentioned or no tieup of
2 the parties discussing the matter alleged to therein;
3 paragraph 8, that paragraph expresses a conclusion
4 and an opinion of the witness testifying which invades
5 the province of the Court and is not evidence.

6 I further object to the introduction of the
7 affidavit as a whole on the reason that it is full
8 of conclusions and opinions that would not ordinarily
9 be allowed on question and answer of a witness in the
10 courtroom; for the further reason that there is no
11 certificate of origin for this affidavit, and it shows
12 that it was prepared on 11th of April, 1946, after
13 this trial had commenced. It should, therefore, not
14 be given the consideration as an official document or
15 other type of paper found during the period as set
16 out in the Indictment. I further understand that the
17 affiant in this case is dead, has been executed, and
18 that the matter in which he has testified to here was
19 not used in the course of his trial. Therefore, there
20 was no cross-examination at that time on these points
21 which we might want cleared up, and since the man is
22 dead, there is no possibility of cross-examination of
23 the man now and for that reason I believe that the
24 Court, in the light of all of these matters stated,
25 should entertain this as a proper objection for the

1 exclusion of this document; or that, in the alterna-
2 tive, that the prosecution should be required to
3 delete those matters which they do not have any
4 manner of proof as appears here; and that in the
5 first instance, an affidavit of this type should have
6 been prepared for this trial concisely and along
7 those lines of evidence that could be brought in
8 and back it up and not be filled with conclusions
9 and opinions which would prevent the Court from determin-
10 ing whether this man is testifying from his own know-
11 ledge or from matters of acquaintance or from hearsay
12 or whether they are just general conclusions.

13 There is other defense counsel who have
14 other portions of this affidavit which they wish to
15 object to.

16 THE PRESIDENT: Major Blakeney.

17 Mr. Blakeney: I should like to add, if the
18 Tribunal please, that the affiant in this affidavit,
19 Semyonov, was executed by the Russians within the last
20 three weeks, according to their public broadcast. We
21 feel that the reception of his affidavit in these cir-
22 cumstances would be to receive a document which has
23 no probative value for the Tribunal. In addition,
24 I should like to point out the further grounds of
25 objection, that of the sixteen pages of the affidavit

1 the first six, almost, deal with matters prior to the
2 time covered by the Indictment herein; that is to say,
3 the period of the Allied intervention in Siberia and
4 subsequent times still prior to 1928. It is, of course,
5 the exclusion of this type of testimony over a period
6 prior to 1928 which we were attempting to raise by our
7 objections to the opening statement.

8 MR. GOLUNSKY: If the Tribunal please, as to
9 the objection that a part of this affidavit deals with
10 matters previous to 1928, I think we have had already
11 two rulings of this Tribunal stating that facts previous
12 to 1928 might be proved in this Tribunal if they could
13 be connected in some way with the conspiracy after 1928.
14 That is the reason. As to the fact that the man was
15 executed about a month ago, which is quite correct, we
16 don't think that the fact itself would be an obstacle
17 to the admissibility of an affidavit by this man. At
18 least, the defense didn't think so when they filed an
19 application with this Court asking to summon as a
20 witness the Japanese General, SAKAI, Takashi, who has
21 already been sentenced to death by a Chinese Tribunal.
22 In what way the fact that the man had been hanged can
23 attack his credibility is for the Tribunal to object,
24 but I don't think that it can be an obstacle to the
25 admission of this affidavit; and if the Tribunal will

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2 time covered by the Indictment herein; that is to say,
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23 attack his credibility is for the Tribunal to object,
24 but I don't think that it can be an obstacle to the
25 admission of this affidavit; and if the Tribunal will

1 judge about the credibility of this witness, not only
2 by the fact whether he was hanged or not, but also by
3 the fact how much his statements are corroborated by
4 other evidence which we are going to produce. As to
5 the specific objection as to parts of this affidavit
6 on the ground that they were conclusions and opinions
7 of the witness, and that the Tribunal could not judge
8 where he speaks from his own knowledge and where he
9 gives his opinion and conclusion, I respectfully draw
10 the attention of the Tribunal to the fact that the
11 wording of the affidavit is such that in each case
12 the Tribunal can see clearly whether he is testifying
13 from his own knowledge and where he is giving his
14 opinions and conclusions. Several times during this
15 trial the Tribunal has directed that conclusions and
16 opinions of witnesses in this trial might be admissible
17 if the witness was in a position to have good knowledge
18 of the things he was making opinions about. This man
19 who collaborated with Japan during twenty-five years
20 very closely, and was the actual head of emigration
21 in Manchuria was certainly in a position to draw con-
22 clusions about those facts during this period.

23 THE PRESIDENT: You have already spoken,
24 Major Blakeney.

25 MR. BLAKENEY: Yes. Since my subpoena for

1 General SAKAI was called into question, I thought I
2 might answer; and I am indeed glad to point out that
3 in the case of General SAKAI we were trying to do pre-
4 cisely that which we insisted should be done here,
5 that is, to place him on the witness stand and turn
6 him over for cross-examination so that the truth of
7 his statements might be tested.

8 THE PRESIDENT: Well, this is not a case
9 where a certificate of origin is required, because
10 we are dealing now with an affidavit. That was one
11 of the points taken by Captain Brooks. This affidavit
12 certainly would not be received in the courts of any
13 British court, but the Charter precludes us from apply-
14 ing our own procedure and, indeed, from applying any
15 technical procedure or any rules of evidence, that is
16 to say, any strict rules; the sole test is whether
17 the document could have any probative value. Certain
18 examples are given in the Charter of what might be
19 admitted, but they do not restrict the provisions in
20 the earlier part of that particular clause, that any-
21 thing of probative value may be admitted. However,
22 the effect you give to it is another matter. We may
23 think that it ought to be rejected because the de-
24 ponent is dead. We may be influenced by the fact
25 that the deponent was executed by the government that

1 puts forward the affidavit, and so prevents the de-
2 ponent from being called for cross-examination here,
3 or from being interrogated at all. Throughout this
4 trial we have made quite a feature of the right to
5 interrogate a deponent who is not called here, but
6 that right has been destroyed by the country offer-
7 ing the evidence. Upon the merits of that country's
8 action I express no opinion.

9 Now, as to the fact that opinions are ex-
10 pressed in the affidavit, there again that is covered
11 by the heading of probative value. As an Australian
12 Judge, I may not think it has any value, but my views
13 do not prevail here. There are eleven nations, and
14 they may have different views, or some of them may have
15 different views.

16 Again, as to the dates when these events
17 took place, apparently they preceded 1928 and went
18 back as early as 1918 or 1922, in all events. I
19 cannot say without hearing further evidence whether
20 or not that evidence is relevant to any issue in
21 this case. It may be difficult to establish that
22 it is, but it should be received conditionally upon
23 its being shown to be relevant; that is to say, that
24 if this evidence is received at all. There are other
25 grounds of objection, and I do not propose to admit it

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2 ponent from being called for cross-examination here,
3 or from being interrogated at all. Throughout this
4 trial we have made quite a feature of the right to
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22 it is, but it should be received conditionally upon
23 its being shown to be relevant; that is to say, that
24 if this evidence is received at all. There are other
25 grounds of objection, and I do not propose to admit it

1 until I have had an opportunity of discussing
2 the matter with my colleagues.

3 We will recess now for fifteen minutes.

4 (Whereupon, at 1448, a recess was
5 taken until 1515, after which the proceed-
6 ings were resumed as follows:)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: The Tribunal has decided to
4 admit the Semyonov affidavit. It may be read. That
5 is a majority decision.

6 MR. LOGAN: If the Tribunal please, as a
7 point of information, in view of the fact that the
8 defense have some objections, legal objections, to
9 these questions, as to their relevancy, immateriality,
10 assumption of facts not in evidence, and so forth,
11 the question has arisen in our minds whether to make
12 those objections at this time, before the affidavit
13 is admitted, or wait until it is admitted and at the
14 time it is being read.

15 THE PRESIDENT: The decision disposes of all
16 objections raised.

17 CLERK OF THE COURT: Prosecution's document
18 No. 2363 will receive exhibit No. 668.

19 (Whereupon, the document above re-
20 ferred to was marked prosecution's exhibit No.
21 668 and received in evidence.)

22 COLONEL ROSENBLIT: If the Tribunal please, I
23 shall quote an excerpt from the said affidavit. See
24 page 2 of the English text:

25 "On November 20, 1920, when I, and my Staff

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shall quote an excerpt from the said affidavit. See
25 page 2 of the English text:

"On November 20, 1920, when I, and my Staff

1 were at the Station of Manchuria, Colonel ISOME, re-
2 presentative of the Japanese General Staff came from
3 Vladivostok and informed me, that the Japanese Govern-
4 ment was planning to create an independent Govern-
5 ment in the Primorye and was ready to support me as
6 a candidate for the post of the head of this Govern-
7 ment.

8 "With the view of continuing the negotiations
9 on the subject, I arrived at Vladivostok at the end of
10 November, 1920, where I met Major-General TAKAYANAGI,
11 chief of the Headquarters of the Japanese Expeditionary
12 Forces in Siberia.

13 "On behalf of the Japanese Government,
14 TAKAYANAGI assured me that ISOME had correctly pre-
15 sented the Japanese view point on the destiny of the
16 Primorye, and I gave my consent to become the head
17 of the future government in the Primorye.

18 "After that, to define more accurately and
19 fully the conditions offered by Japan, I met with
20 General TACHIBANA, Commanding General of the Kwantung
21 Army, who was soon appointed to the post of the Com-
22 manding General of the Japanese Occupational Forces
23 in Siberia. I also met his successor, General
24 KANAI, the future Chief of the General Staff; I was
25 similarly elucidated by them as to the desire of

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22 manding General of the Japanese Occupational Forces
23 in Siberia. I also met his successor, General
24 KANAI, the future Chief of the General Staff; I was
25 similarly elucidated by them as to the desire of

1 Japan to see me at the head of the Primorye Govern-
2 ment.

3 "The final conditions proposed by the
4 Japanese Government on the Primorye issue was for-
5 warded to me by Count MATSUDAIRA, the Head of the
6 Japanese Mission in the Soviet Far East, who later on,
7 prior to the surrender of Japan, was Imperial House-
8 hold Minister."

9 I turn to page 3, second paragraph, and quote:

10 "The Japanese conditions were as follows:
11 Japan took upon herself to place at my disposal the
12 necessary loan in cash, weapons, and ammunitions.

13 "I, on my part, had to do away with all so-
14 called frontier formalities between the Primorye and
15 the territory under the Governor-General of Korea, as
16 soon as I became the head of the Far Eastern Govern-
17 ment.

18 "In other words, according to this condition
19 set forth by MATSUDAIRA, I agreed to the annex of the
20 Primorye by Japan."

21 Still a few lines further (see the last
22 paragraph but one on page 3) are disclosed new plans
23 of the Japanese Government with regard to the Soviet
24 territory seized by Japan:

25 "TOCHIBANA and UEDA also informed me that the

1 Japanese Government was planning to create an in-
2 dependent Government under me in the Zabaikalye and
3 to completely annex the Primorye."

4 Now, if the Tribunal please, I shall inter-
5 rupt my quoting from this exhibit and return to it
6 later on, in view of further logical development of
7 my presentation of the case, to prove the duplicity
8 of the Japanese policy with regard to the Soviet Far
9 East during the intervention, I shall submit to the
10 Tribunal two documents. I offer in evidence an ex-
11cerpt from the book "Conference on the Limitation of
12 Armaments in 1922," which contains a speech by Baron
13 SHIDEHARA, the Japanese representative at the Wash-
14 ington Conference, prosecution document 2457.

15 THE PRESIDENT: Mr. Logan.

16 MR. LOGAN: If the Tribunal please, this is
17 apparently the statement of a witness who has pre-
18 viously appeared before the Tribunal. In view of
19 the fact, I believe, your Honors have ruled that all
20 the evidence of a witness should be given at the time
21 he is on the stand, this is further evidence from
22 this same witness and it should be objected to on
23 that ground. In other words, this evidence, this
24 document, should have been submitted to him and it
25 would have been the best evidence if that had been

1 offered through him. I recall no reservation by the
2 prosecution that further evidence of statements or
3 documents made or offered by this witness could be
4 offered at a later date. And we further object on
5 the ground that it refers to the year 1922, which is
6 beyond the scope of the Indictment.

7 MR. GOLUNSKY: If the Tribunal please, the
8 document we are now presenting is an excerpt from
9 the official record of the Washington Conference. I
10 contend that for the purpose of proving that the
11 principal delegate of Japan, Baron SHIBEHARA, stated
12 certain things at this Conference, these official
13 records are pertinent records. All we want to prove
14 is that he said certain things at this time.

15 As to the second point, that it was before
16 the period of the Indictment, the whole of the Wash-
17 ington Conference was before the Indictment, the Nine
18 Power Treaty was before the Indictment, and still
19 there is no doubt that they are relevant to the
20 case. Our purpose in introducing this evidence is
21 to show a certain system in the Japanese aggression
22 policy, and this can't be done otherwise than by
23 establishing certain facts which had taken place at
24 this time.

25 THE PRESIDENT: The only question, the only

1 serious question, that I can see is whether it was
2 fair to the defense to let SHIDEHARA go out of the
3 box without putting this material to him. Although
4 he may have said these things at the Washington Con-
5 ference, we cannot say that cross-examination would
6 not affect the value of what he said there. This may
7 be admitted perhaps -- I haven't consulted my col-
8 leagues -- but I think the defense should have the
9 right to have him recalled by the prosecution for
10 cross-examination on it, if they think it is desira-
11 ble.

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1 MR. GOLUNSKY: If the Tribunal please, at
2 the time when the witness SHIDEHARA was on the stand
3 our phase of the case was not yet prepared. We did not
4 know then we would introduce this part of the record
5 of the Washington Conference. We do not propose to
6 call him now. Of course, the defense will have all
7 the possibilities of putting him on the stand again if
8 they want him in their part of the case; because I
9 think the authenticity of what he said in the Wash-
10 ton Conference after what has been recorded in the
11 official record of this conference can hardly be ques-
12 tioned.

13 THE PRESIDENT: The majority of the Court
14 thinks the defense should have the right to have the
15 witness SHIDEHARA recalled by the prosecution for cross-
16 examination on this material if they think fit.

17 MR. KEENAN: In accordance with the Court's
18 suggestion or direction, we will call Mr. SHIDEHARA
19 to have him testify that that is what he said, which is
20 all we attempt to prove by him and the only point
21 material to this phase of the case. If that is re-
22 quired, we will be glad to comply with the direction
23 of the Court.

24 THE PRESIDENT: I said the defense would have
25 the right to have him recalled by the prosecution if

1 the defense wanted him recalled.

2 The document is admitted on the usual terms.

3 CLERK OF THE COURT: Prosecution's document
4 No. 2457, to-wit, the book "Conference on the Limita-
5 tions of Armament, Washington, 12 November 1921," is
6 given exhibit No. 669; and prosecution's document
7 No. 2457-A, an excerpt therefrom, is given exhibit
8 No. 669-A.

9 (Whereupon, prosecution's document

10 No. 2457 was marked prosecution's exhibit

11 No. 669 for identification.

12 Prosecution's document No. 2457-A
13 was marked prosecution's exhibit No. 669-A, and
14 was received in evidence.)

15 COLONEL ROSENBLIT: I shall quote from page 4
16 from Baron SHIDEHARA's statement on Japan's policy
17 towards the U.S.S.R.

18 "It is the fixed and settled policy of Japan
19 to respect the territorial integrity of Russia, and
20 to observe the principle of non-intervention in the
21 internal affairs of that country."

22 To prove what this policy of respecting
23 territorial integrity of Russia and observing the prin-
24 ciple of non-intervention in her internal affairs was
25 in reality, I shall quote in evidence an excerpt from

1 the text of the "Draft of Treaty Proposed by the
2 Japanese Delegation to the Delegation of the Far
3 Eastern Republic at the Dairen Conference, April, 1922."
4 This document has already been presented to the Tri-
5 bunal (Exhibit No. 30, prosecution document No. 1890).

6 I shall quote excerpts from page 3 of this
7 document which will prove that Japan demanded that the
8 Japanese Army and Navy were secured their military rule
9 in the Russian Far East.

10 I quote: "The Government of the Far Eastern
11 Republic takes upon itself to take down and, when
12 needed, to blow up all its fortresses and fortifica-
13 tions along the coast in the Vladivostok area and on
14 the Korean frontier, and never to rebuild them in future,
15 and also not to take any military measures in the areas
16 adjacent to Korea and Manchuria.
17

18 "The government of the Far Eastern Republic
19 should recognize the right of officials staying and
20 traveling on all its territory of Japanese special mili-
21 tary missions and individual Japanese army officers.
22

23 "The government of the Far Eastern Republic
24 takes upon itself to never keep a navy in the Pacific
25 Ocean and to destroy the existing one."

I shall quote further the last paragraph of
the same document on page 3, which is one of the se-

1 cret articles of the above draft treaty.

2 "The Japanese government will evacuate its
3 armed forces from the Primorye region at its own will
4 and whenever it considers it necessary."

5 It is a generally known fact that the afore-
6 said draft was not accepted.

7 Now we shall prove that long before Germany's
8 attack on the Soviet Union the idea of a major war of
9 aggression against the Soviet Union had been contem-
10 plated by the Japanese military.

11 I submit to the Tribunal as evidence the affi-
12 davit of TAKEBE, Rokuzo, of March 26, 1946. TAKEBE,
13 Rokuzo, was chief of the General Affairs Department of
14 the Manchoukuo Government and actually supervised the
15 entire governmental activity of Manchoukuo. This affi-
16 davit contains statements made by the accused ARAKI,
17 Sadao, and SUZUKI, Teiichi. By those statements we
18 can judge of the scale of aggressive trends of the
19 military circles in 1933 through 1934. (Prosecution
20 document No. 2239).

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1 THE PRESIDENT: Major Blakeney.

2 MR. BLAKENEY: In connection with the affi-
3 davit of TAKEBE, I merely wish to point out to the
4 Tribunal that this witness is under subpoena for atten-
5 dance at the Tribunal, the subpoena having been granted
6 by order entered on the 16th of September; and I should
7 submit that here we have an additional reason for
8 requiring the presence of this witness for cross-
9 examination.

10 THE PRESIDENT: The subpoena was issued by
11 the defense, of course.

12 MR. GOLUNSKY: The prosecution did not intend
13 to produce TAKEBE here in person, because to carry
14 him over here now from wherever he is now in Russia
15 is very difficult, and his evidence has a corroborative
16 significance here. The facts which are established
17 by his affidavit are also established by a series of
18 other evidence which is going to be produced here.

19 THE PRESIDENT: You must produce him if the
20 Court directs you, Minister Golunsky, and you must
21 permit his interrogation if the Court so directs. The
22 affidavit can be received on no other terms.

23 Admitted on those terms, and other usual
24 terms.

25 CLERK OF THE COURT: Prosecution's document

1 No. 2239 will receive exhibit No. 670.

2 (Whereupon, the document above referred
3 to was marked prosecution's exhibit No. 670,
4 and was received in evidence.)

5 COLONEL ROSENBLIT: I quote from the last
6 paragraph of page 5.

7 "When I was the governor of AKITA Prefecture
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1 around SHOWA 8 or 9 (1933, 1934), I heard ARAKI's
2 speech at a meeting of prefectoral governors. He was
3 at that time the War Minister. ARAKI hung up a map of
4 the U.S.S.R. and Manchuria, and explained the necessity
5 of the Maritime Province of the U.S.S.R., Siberia
6 and Zabaikalye for Japan. SUZUKI, Teiichi, also spoke
7 on the same thing as ARAKI did."

8 I stop quoting from this document, and other
9 portions of this affidavit will be quoted later along
10 with other evidence in view of the logical development
11 of our presentation.

12 Now, if the Tribunal please, I shall return
13 to the affidavit of April 11, 1946, of the former
14 leader of the Russian whiteguard emigrants in Manchuria,
15 Semyonov, which we have submitted to the Tribunal
16 (prosecution document No. 2363, exhibit No. 668).

17 I mean to prove by the excerpts from this
18 affidavit that in the years that followed, ARAKI went
19 on supporting the imperialistic clique and shared its
20 leaders' ideas of expansion to the Soviet territories
21 in the East.

22 I quote the first full paragraph on page 13:
23 "In the same year, 1936, I met General
24 OKAMURA, Chief of the Kwantung Army Headquarters. I
25 learned from him that according to the Japanese plan

1 of invasion, the Ussuri region was to be incorporated
2 into Manchoukuo, and a buffer state was to be created
3 extending from Lake Baikal to the East, with myself at
4 the head of the Government."

5 I skip the question and quote further:

6 "War Minister General ARAKI most strikingly
7 expressed the Japanese aggressive aspirations at that
8 period. We were friendly, General ARAKI and myself,
9 since the 1918-1922 Japanese intervention. At that
10 time ARAKI was chief of the Japanese Military Mis-
11 sion in Kharbin.

12 "When from 1931 ARAKI became War Minister
13 and then a member of the Supreme Military Council of
14 Japan I repeatedly went to see him in Tokyo and had
15 long talks with him.

16 "In 1936 ARAKI told me that Japan was
17 striving at the creation of heavy industry in Man-
18 churia, in as short time as possible, with the task
19 of partial provision of the Kwantung Army needs.

20 "Ensuing the creation of this industrial
21 base Japan would begin war against the Soviet Union."

22 And a few lines further we read (see the last
23 full paragraph on the same page):

24 "When enlarging on the question of war against
25 the U. S. S. R. ARAKI told me that the Japanese plan

1 at that time essentially was to effect the annexa-
2 tion of Eastern Siberia and the Primorye from the
3 U. S. S. R. by the use of force and to create a limi-
4 trophe state on that territory.

5 "Along with that ARAKI stated that only the
6 seizure of the Primorye might be effected by Japan
7 at first, which would in no way mean the cessation of
8 the further advance into the core of the U. S. S. R.,
9 the ultimate aim of Japan, ARAKI concluded, for all
10 times being the territory immediately East of Lake
11 Baikal."

12 I stop quoting from this affidavit in order
13 to return to it at a further phase of our case.
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1 I shall submit to the Tribunal as evidence
2 a newspaper report from the Japan Advertiser of
3 July 11, 1938, which cites the then Minister of Educa-
4 tion ARAKI's speech at a conference of the Political
5 and Economic Research Society in Osaka (Prosecution
6 document No. 2527).

7 THE PRESIDENT: Mr. McManus.

8 MR. McMANUS: I should like to object to this
9 report, on the ground that the gist of this speech
10 was reported by the Domei Press in an abbreviated way,
11 and from that the Japan Advertiser reproduced the
12 document. The document, if your Honor pleases, is a
13 triple reproduction, or a tri-production of the origi-
14 nal speech.

15 I further contend that the defendant should
16 not be responsible for this reproduction; and, further,
17 that the document is not from any official government
18 Japanese files.

19 To bear out the objection of the fact that
20 this is a triple reproduction, I call your Honor's
21 attention to the first part and the second half of the
22 speech, which seem to be in direct contradiction with
23 each other.

24 MR. GOLUNSKY: If your Honor please, we made
25 all our efforts to obtain the full record of ARAKI's

1 speech, and we were unable to do it. I have here a
2 letter from the Investigation Division stating that they
3 were unable to obtain this full record. If the
4 Tribunal wishes, I can hand it to the Tribunal right
5 now.

6 Therefore, I am introducing this document
7 under paragraph 5, Section c, Article 13 of the Charter,
8 which provides that the copy of the documents, or
9 other secondary evidence of its contents if the origi-
10 nal is not immediately available, is admissible.

11 Besides, I would like to point out the rather
12 special character of the publication in which it was
13 published, the Japan Advertiser.

14 THE PRESIDENT: The document is admitted for
15 whatever probative value it has.

16 CLERK OF THE COURT: Prosecution's document
17 No. 2527, to-wit, files of the newspaper Japan Adver-
18 tiser, is given exhibit No. 671, for identification
19 only; and the excerpt therefrom will be given exhibit
20 No. 671-A.

21 (Whereupon, document No. 2527 was
22 marked prosecution's exhibit No. 671 for identi-
23 fication. The excerpt therefrom, also being
24 numbered 2527, was marked prosecution's exhibit
25 No. 671-A, and was received in evidence.)

1 COLONEL ROSENBLIT: I quote the following
2 statement of ARAKI from the middle of page 1 as recorded:

3 "Japan's determination to fight to a finish
4 with China and the Soviet Union is sufficient to carry
5 it on for more than a decade."

6 Now I shall produce in evidence a telegram of
7 the accused TOJO, Hideki, Chief of the Kwantung Army
8 Headquarters, who, on June 9, 1937, informed the Army
9 General Staff of his plans for the future. This docu-
10 ment is meant to prove that dealing a blow to China,
11 according to TOJO's far-reaching plans, was at the
12 same time a means of preventing the menace from the
13 rear in Japan's attack on the Soviet Union (Prosecution
14 document No. 1841).

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document
17 No. 1841 will receive exhibit No. 672.

18 (Whereupon, the document above
19 referred to was marked prosecution's exhibit
20 No. 672, and was received in evidence.)

21 COLONEL ROSENBLIT: I quote the first para-
22 graph of the document:

23 "Judging the present situation in China from
24 the point of view of military preparations against
25 Soviet Russia, I am convinced that if our military

power permits it, we should deliver a blow first of all upon the Nanking regime to get rid of the menace at our back."

If the Tribunal please, I shall present a few extracts from books and magazines published in Japan in order to prove that the idea of an aggressive war against the U.S.S.R. was widely propagated in Japan.

Under the specific conditions of the Japanese press which have been illustrated by my colleagues in prosecution, Mr. Hammack and Mr. Helm, such propaganda could not be carried on without the government's knowledge or approval.

I submit to the Tribunal as evidence an excerpt from the book by KONDO, Shigeki, "The Japanese-English-Chinese War," published in Tokyo in 1939 by the Institute of Chinese Problems.

This excerpt is a specimen of ultra-imperialistic propaganda, promoting the idea of the world mission of Japan. This excerpt will prove that there was conducted in Japan aggressive propaganda directed not only against the U.S.S.R. but against the entire world (Prosecution document No. 2368).

THE PRESIDENT: Major Furness.

MR. FURNESS: If the Court please, I wish to

1 power permits it, we should deliver a blow first of
2 all upon the Nanking regime to get rid of the menace
3 at our back."

4 If the Tribunal please, I shall present a
5 few extracts from books and magazines published in
6 Japan in order to prove that the idea of an aggressive
7 war against the U.S.S.R. was widely propagated in
8 Japan.

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10 press which have been illustrated by my colleagues in
11 prosecution, Mr. Hammack and Mr. Helm, such propaganda
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17 the Institute of Chinese Problems.

18 This excerpt is a specimen of ultra-
19 imperialistic propaganda, promoting the idea of the
20 world mission of Japan. This excerpt will prove that
21 there was conducted in Japan aggressive propaganda
22 directed not only against the U.S.S.R. but against the
23 entire world (Prosecution document No. 2368).

24 THE PRESIDENT: Major Furness.

25 MR. FURNESS: If the Court please, I wish to

1 object to the introduction of this document on two
2 grounds.

3 THE PRESIDENT: We will take your objection
4 tomorrow morning at half past nine.

5 We will adjourn now until half past nine
6 tomorrow morning.

7 (Whereupon, at 1600, an adjournment
8 was taken until Wednesday, 9 October 1946,
9 at 0930.)

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